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THE
BISHOP'S REGISTER

THE BISHOP'S REGISTER

A translation of documents from medieval episcopal registers designed to illustrate their contents as well as various phases of medieval episcopal activity.

WITH

INTRODUCTIONS AND NOTES

BY

CLIFFORD J. OFFER, M.A.

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PREFACE

THE present work is designed primarily for the ordinary reader and not for the scholar or the specialist, who can, of course, make use of the original registers for himself. Translations of most kinds of medieval documents have already appeared, but, as a whole, episcopal registers have been strangely neglected, probably because so many of the entries are of a purely formal character. It is hoped, however, that the following selection will serve to show that among many documents characterized by redundancy and prolixity there are many of real interest and value. But though this work is not for the scholar, it is designed to be of assistance to students and others who may desire to have some idea of the nature and contents of a medieval episcopal register, but who have not the time to become proficient in medieval technicalities necessary for a proper understanding of documents of the Middle Ages. For these reasons Introduction and Notes have been added, and every effort has been made to render them as accurate as possible. Frequent references to modern works have been added, not only to show the author's indebtedness to others, but also to indicate to the reader where fuller information can be found.

Only a strictly literal translation has been attempted, and even some of the almost interminable sentences have not been altered in the hope that their preservation will give a better idea of the original. All the documents translated, with the

exception of two, can be found amongst the publications of the Canterbury and York Society, but in some cases they have been issued jointly with other societies; in these cases it has only been thought necessary to print the name of the society co-operating.

I am greatly indebted to several scholars for their generous advice and assistance, particularly to Dr. G. G. Coulton and Dr. Rose Graham for much valuable guidance and kind encouragement, and to Professor Hamilton Thompson and Canon Foster for help in the elucidation of difficult points. I have also been greatly assisted by my friend and recent colleague Mr. F. F. Fulton for the invaluable help which he has rendered at all times regardless of the trouble involved.

I must also express my thanks to the Canterbury and York Society, the Lincoln Record Society, the Cantilupe Society, the Royal Historical Society, and H.M. Stationery Office for kind permission to make use of their publications.

C. J. O.

HIGHMORE,
Sept. 1929

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INTRODUCTION TO SECTION ON RELIGIOUS HOUSES

INTRODUCTION TO SECTION ON RELIGIOUS HOUSES

Any account of episcopal activity in the Middle Ages would manifestly be incomplete without some account of the religious houses which formed so conspicuous a feature of medieval life. For they were scattered over the country with a profusion which the modern mind can hardly understand. Every town of any size could boast of at least one, and often more. They formed the familiar landmark of the countryside, and often a sheltered valley to-day gains an added charm from the ruins of departed piety. Monastic life, as has been recently pointed out, was to the medieval mind religion *par excellence*.[1] No other form of religion was able to rival it in popularity for centuries. Monasteries and nunneries were the recipients of unbounded charity, and many an obscure house rose in time through the devoted munificence of its benefactors to the position of a wealthy and influential establishment. In course of time the abbots of the larger houses wielded an authority hardly unsurpassed by the greatest of the land. Their vast estates gave them all the prestige of great landowners, and the greatest of them found a place in the legislative assemblies of the nation.[2] It was only to be expected, therefore, that when a house attained a certain degree of influence and eminence it would resent any interference from outside. The more important the house the more persistent would be the struggle to obtain exemption from episcopal control. *Humanum est.* The lordly abbot of a famous house with its splendid hospitality and broad acres would hardly like to feel that at any moment his administration and discipline might be subjected to a critical investigation by one whom he was accustomed to regard as an equal. Exemption from

[1] G. G. Coulton, *Five Centuries of Religion* (Camb. Univ. Press), vol. i. p. xxxiii.

[2] Professor Pollard has recently pointed out that abbots, like bishops, were liable to be summoned to Parliament, not because they represented the Church, but because they held land *per baroniam* ; *cf.* his *Evolution of Parliament*, p. 64.

episcopal oversight rapidly became the most coveted of monastic privileges.

Before, however, proceeding to describe the internal economy and management of a medieval monastery, it will be necessary to give some account of the origin of the various orders to which the different houses belonged, though it is obviously impossible to do this with any degree of completeness. The task ought not to be necessary, considering the number of recent works on the subject, but a good deal of confusion still exists about monastic matters ; and after all, it is important to distinguish between a Benedictine abbey and a Cluniac priory even for the ordinary reader. Monasticism arose in Egypt and found its initial inspiration in the example of St. Anthony. Following that saint, the earliest form of ascetic enthusiasm was essentially individualistic, but the movement soon tended to a more corporate expression and passed by almost imperceptible stages into settled and organised forms. The enthusiasm spread to Europe, and in course of time St. Benedict arose to give it a more permanent and lasting embodiment. His Rule, which became in time a guide for a multitude of houses scattered over Europe, was originally designed for his own great abbey of Monte Cassino, but it soon displaced its rival, the Celtic Rule of St. Columba,[1] until it became, with some modifications, practically universal. The beginning of the tenth century saw another movement initiated which represented a stricter interpretation of monasticism. It originated at Cluny in Burgundy in a house granted by William of Aquitaine, and was received in various quarters with much enthusiasm, notably in England, where it profoundly affected the policy of Archbishop Dunstan.[2] This movement resulted in the formation of a highly centralised order in that nearly all Cluniac monasteries were merely dependent cells of the parent house. They were ruled by a prior (the second-in-command in a Benedictine house) who was directly responsible to the abbot of Cluny. In the Renaissance of the twelfth century a new order arose,

[1] Celtic influence in Europe is well illustrated from the history of the great abbey of St. Gall, which followed the rule of St. Columba from the traditional time of its foundation, *c.* 613, until 760, when Abbot Johannes introduced the Benedictine Rule (J. M. Clark, *The Abbey of St. Gall*, ch, i.).

[2] J. A. Robinson, *The Times of St. Dunstan*, p. 87 f.

originating at Cîteaux in France, whence it obtained the name of Cistercian. Like the Cluniac revival, it aimed at a more thorough-going realisation of the Benedictine ideal. The Cistercians were the Puritans of the Middle Ages. Their churches were wholly destitute of ornament, and they lived a life of rigid simplicity, typified by the one meal a day with which they were content for at least a part of the year. The order is of special interest to Englishmen since the second great abbot of Cîteaux was Stephen Harding, who came from Sherborne. They applied themselves enthusiastically to agriculture, especially sheep farming, but they differed from other orders in their adoption of *conversi*, or lay brothers, who assisted them in this work. They usually sought out deserted valleys and lonely spots, where they raised their stern but majestic houses, which in after centuries and in ruined form have greatly added to their charm. Few "beauty spots" are more picturesque or renowned than the sites of Fountains, Tintern, or Valle Crucis.

About the time [1] of the foundation of the Cistercian order in 1098, another movement of monastic reform issued in the formation of the Carthusian order, which differed in several respects from all the previous ones and which took its name from the great monastery of the Grande Chartreuse. One of the most striking ways in which it varied from other religious orders was in the manner in which the monks lived, each one having his own little house or cell and garden instead of the common dormitory and refectory.[2] The monks only met each other in the church and for an occasional special feast. The order is chiefly remembered to-day in England, where it never attained a popularity comparable with that of the other orders, from the survival of the name of Charterhouse in one of our public schools. Lesser orders were founded about the same time, notably that by St. Gilbert of Sempringham in Lincolnshire in 1148 which deserves special notice as it was the only purely English order. The special feature of these houses was their dual character, for they consisted of both men and women in

[1] Strictly, 1084, or fourteen years before the foundation of the Cistercian order.

[2] A good account of the most famous house in England, with documents and plan, will be found in *The History of the London Charterhouse*, by Sir W. St. John Hope (S.P.C.K.).

eleven out of twenty-six cases.[1] The women followed the Benedictine Rule, but the men became Augustinian canons and served them in the capacity of chaplains. This reference to canons regular draws attention to the fact that the wave of reforming fervour found expression in forms other than the strictly monastic. Perhaps the most noteworthy of these was the formation of the Augustinian or Austin canons already mentioned. These were modelled on monastic lines but followed a shorter Rule than that of St. Benedict, based on a letter of St. Augustine of Hippo. The canons were nearly always in priests' orders, whereas monks were originally laymen, and did not universally proceed to priests' orders until after the time of Clement V (1305–16), though it was customary in most houses long before.[2] Another distinguished order of regular canons was the order of Prémontré, whose members were known as Premonstratensians. They were a centralised order and therefore, unlike the Austin canons, exempt from episcopal jurisdiction. All these orders, with the exception of the Carthusians, had houses for women, and these were all subject to visitation by the diocesan bishop.

When a monk entered a religious house he usually assumed as a surname the name of the place from whence he came. If he entered as a boy he would join the Novices and would be placed in the special charge of a monk who was known as the Novice-master. Under him he would receive his elementary instruction, usually in the western portion of the cloister, where in some abbeys, as at Durham,[3] special stalls were set up for his convenience. Not all monks entered as novices ; some joined in later life, others perhaps gained admission from other houses, attracted by the fame of some more famous convent, as Walter de Wenlok, abbot of Westminster,[4] probably did. It would not be long before he would be able to take his part in the full conventual life, the principal part of which consisted

[1] For a plan of each type of monastery, cf. *An Essay on English Monasteries*, by Miss Rose Graham, for Cluniac, Cistercian, and Gilbertian houses, and Sir W. St. John Hope's work for one of a Carthusian house. For a nunnery, cf. *Medieval English Nunneries*, by Miss Eileen Power.

[2] For some interesting documents relating to canons regular, cf. *Chapters of the Augustinian Canons*, ed. by H. E. Salter (Cant. and York Soc.) ; cf. *Reg. Gravesend*, p. 7 foll.

[3] *Rites of Durham* (Surtees Soc.), pp. 84–85.

[4] E. H. Pearce, *Walter de Wenlok* (S.P.C.K.), pp. 50, 51.

in the due performance of the services in the abbey church. This was the true *opus Dei*; every monk was normally expected to be present at all the conventual services which took place at stated times, varied somewhat according to the seasons. Sickness or temporary absence for the periodical bleeding was the only excuse for absence allowed in the case of ordinary monks. Later, when a monk assumed some office in the convent and became an *obedientiary*, he was excused attendance at some of the services in order to attend to his official duties. Occasionally this became a pretence for unnecessary neglect which required a Visitor's stern rebuke to produce amendment. One other ground for absence was always admitted. Strictly speaking, no monk was allowed to leave the cloister and wander about outside; but obedience to this regulation was obviously impossible for those obedientiaries to whom were deputed the duties of procuring the necessities of life and of looking after the estates of the house. The former duty usually fell to the lot of the cellarer,[1] while he who performed the latter functions was generally styled monk bailiff. When, as in the case of the greater monasteries, the estates of a particular convent might be scattered over several counties, it is obvious that a good deal of time would be consumed in travelling from one estate to another and in supervising and auditing the accounts. These journeys would form a welcome relief to the daily round, and doubtless would be appreciated by the more restless members of the community. These were the only grounds for absence from the regular services, which, though they occupied a considerable portion of the day, did not fill up the whole of a monk's time. The remainder was intended to be filled with manual labour [2] and reading in the spirit of St. Benedict's dictum, "Idleness is the enemy of the soul." The extensive lands of most religious houses gave ample opportunity for agricultural pursuits, though the tendency was always at work to leave

[1] These duties were often divided between different officers in large monasteries, as at Durham, where there appears to have been no monk bailiff; *cf.* the full account of the officials of a large house in *Durham Account Rolls* (Surtees Soc.), Introd. vol. iii. A shorter account will be found in *Westminster Abbey*, by H. F. Westlake.

[2] *Cf.* Coulton, *op. cit.*, *passim*; and particularly his *Medieval Village*, the latest and most exhaustive treatment of the subject. Vol. ii. of his *Five Centuries of Religion* also deals with monastic labour.

the manual labour involved to lay brothers or hired servants. Reading was definitely prescribed by the Rule of St. Benedict, especially in Lent; and in most of the larger monasteries the cloister walk nearest to the church was reserved for the purpose. Here, in carrells, which can be seen to perfection at Gloucester, the monk retired after his mid-day meal to read, and perhaps to write. At Durham the carrells appear to have been of a very elaborate character. In one or two houses, notably at St. Albans, a special *Scriptorium* was built where the copying of manuscripts and the compiling of records were diligently carried on, or a room was set aside for the purpose as, most probably, at Much Wenlok Priory. The generosity of Abbot Paul, who built the *Scriptorium*, gave rise to the most famous school of English historians, and the name of St. Albans gained renown for the chronicles produced within its walls, of which the great *Chronica Majora* of Matthew Paris is the enduring monument.[1]

The management and control of a great monastery involved much work apart from the daily routine of the ordinary monk. These tasks fell to the officials or obedientiaries, two of whom have already been described. In Benedictine houses, and some others, the head of the house was the abbot, except where the Cathedral was the abbey, in which case the bishop was the nominal abbot. In the larger houses the abbot not only had his own set of rooms, as in most convents, but he had a very considerable staff of attendants in addition. The "abbot's lodging" was often of considerable size, and he was thus able to entertain guests of distinction with befitting dignity. Even kings were entertained from time to time, though the pleasure of receiving so distinguished a guest must have been somewhat lessened by the expenses involved. This is well illustrated in the case of King John's visit to the abbot of St. Edmund at Bury, for he made no present except, as Jocelin of Brakelond tells us feelingly in his chronicle, a cloth borrowed from the sacristan and never paid for! An abbot of Westminster in the thirteenth century had seven chief servants supervised by two chaplains. To each of them special functions were assigned: the seneschal,

[1] The best and most entertaining account of this aspect of monastic life is given in Professor Jenkins' *The Monastic Chronicler* (S.P.C.K.).

when the abbot visits one of his manors, must look after the bailiff and provosts to see that the necessities stipulated beforehand have come in ; the butler would naturally look after the wine, as the cook would supervise the kitchen. The others occupied offices indicated sufficiently by their names.[1]

These personal officials of the abbot must not be confused with the officials of the abbey, who naturally varied in number according to the size of the convent. After the abbot ranked the prior, known in the larger houses, where he was assisted by several others, as the conventual prior, or in priories as the sub-prior ; his chief duty was the maintenance of discipline and order. Next would probably come the sacristan, whose chief duties were connected with the care of everything connected with the services of the church. Another important official was the cellarer, who supervised many aspects of monastic life, particularly those connected directly or indirectly with the commissariat of the house. The chamberlain looked after the clothes of the monks as well as the linen of the house. The treasurer, the kitchener, and, if one were kept, the bursar all occupied offices involving obvious duties ; but there were others occupying less obvious ones. Such was the almoner, whose special task was to look after the poorer guests in the almonry, over which he presided, and to dispense the surplus food of the abbey to those who applied from outside. The hostillar, who presided over the guest-house, *domus hospitum*, was also an officer of some importance, for on him devolved the duty of entertaining the better class of guest, and naturally upon his tact and management the good name of the convent would largely depend. Another important official was the master of the infirmary, who had charge of a block of buildings, usually partly detached from the main block, in which the sick and infirm were catered for, as well as those who had been bled and were therefore entitled to better food. These do not by any means exhaust the list of the officials of a large house, but they serve to convey some idea of the many duties that had to be performed if the monastery was to be efficiently conducted.

It has already been seen that some of the obedientiaries supervised distinct parts of the convent buildings. To

[1] This account is largely based on the household of an abbot of Westminster as given in Dr. Pearce's *Walter de Wenlok* (S.P.C.K.).

describe these buildings in any detail is obviously impossible. It must suffice just to note the uses of the more important parts of a monastic house. The most distinctive feature architecturally was the abbey church, in which the monks said their "hours," and which was generally of noble proportions, as many ruins show. Meals were taken in the refectory (or frater); but sometimes, since meat was forbidden in the refectory, a hall specially built for the purpose, called the misericorde, was used instead. In the majority of monasteries, with the exception of those belonging to the Cistercian order, the refectory ran parallel to the nave of the abbey church, thus forming one side of the cloister garth. Next to the south transept [1] was usually the chapter-house, where the whole convent assembled each morning to hear a chapter of the Order of St. Benedict read and to transact any necessary business. It was here also that in non-exempt houses the bishop carried out his visitations. Another important part of a convent was the dormitory (or dorter) where the monks slept. This usually communicated with the church by a staircase, so that the monks could attend the night offices and return again to bed without going outside. Sometimes, as at Durham, part of the dorter was over the cellarer's buildings, which were usually on the western side of the cloister. Next to these, and connected with the refectory by screens, was the kitchen. At the other (south-east) corner of the cloister was very often the abbot's (or prior's) lodging, sometimes, as at Much Wenlock,[2] of imposing dimensions, consisting of a hall, with cellar underneath, camera,[3] a solar, kitchens, and chapel. Another important set of buildings was the block in charge of the infirmarer, called the infirmary, which usually comprised a large hall with kitchens, etc., attached, and very often equipped with a small chapel. This block was generally separate from the main buildings of the cloister, but connected with them by a passage which, in the case of Kirkstall abbey, had a library over it. The only other important block of buildings was the guest-house,

[1] Or north transept in the comparatively rare cases where the monastic buildings were on the north side of the church, as at Buildwas and Canterbury.

[2] A plan of this appears in Dr. Coulton's second volume.

[3] In many cases, presumably, the customary adjunct of the camera should be added, *i.e.* the garderoba; *cf.* Tout, *Chapters in Medieval Administrative History*, i. 68.

which was very often similar in design to the infirmary but without a chapel. There were, of course, in a large monastery many other rooms and features of interest, such as the parlour where a monk could speak with relatives and friends, or the cellarer's office or checker, or the cloister lavatory, as at Gloucester, but it would take too long to describe these. Mention, however, should be made of one distinctive feature of most Cistercian houses. In the case of these the western range of the cloister was usually occupied by the frater and dorter of the *conversi*, or lay brethren, who assisted the Cistercian monks in their agricultural work and sheep farming.[1]

The maintenance of these splendid buildings was often a matter of great anxiety to their occupants. Such vast establishments as the greater monasteries could not be managed on a few endowments without constant fear of debt ; and the lesser ones were frequently involved in almost perpetual financial difficulties. Of the various sources which sustained these establishments none can compare in importance with the actual possession of estates. These would vary enormously in size from a few acres to a whole borough. No act of charity was more common in the Middle Ages or, for some centuries, more popular than the gift of land to a religious house. Sometimes the founder of a house, as an act of penitence or piety, would endow it with sufficient land to maintain twelve monks and their head ; but that would be only a beginning. A succession of pious benefactors would gradually add to its original possessions. Sometimes a monk on entering a house would endow it with his estates, which might include a church and all pertaining to it.[2] Nuns constantly entered religion endowed with a dowry in spite of ecclesiastical censures and prohibitions.[3]

[1] The *conversi* disappeared after *c.* 1350.

[2] *E.g.* in *The Lincolnshire Domesday* (ed. Foster) under the lands of the city of Lincoln a certain Godric became a monk of Peterborough, and in consequence the abbot claimed his church and its land, etc. The burgesses, however, disputed the claim.

[3] Eileen Power, *Medieval English Nunneries*, pp. 17, 20 ; *cf.* a gift to the Gilbertine priory of Sixle : " I Supis de Bayeux . . . have granted and given . . . to the monastery of saint Mary of Sixle and the servants of God there, with Heloise my daughter whom Gilbert of S. their master has received to make a nun, one bovate of land in East U. with a toft and all its appurtenances . . ." (*Transcripts of Charters, etc.* (Linc. Rec. Soc., vol. xviii.), ed. F. M. Stenton).

The gift of a whole manor was not uncommon, and where a manor extended over a considerable area it would result in several sources of income. Apart from tithes and, in cases where the monks farmed the estate, the ordinary products of husbandry, all the fines of the manorial court, as well as a considerable variety of other incidental dues, would accrue to the monastery. There would be a mill and, most probably, a market with its tolls and the fees from the Piepowder court, if one were held. Not improbably, particularly with the larger abbeys in the proximity of towns or boroughs, the right to hold an annual fair would sooner or later be obtained. William II granted a fair to be held for three days to St. Peter of the old Minster and the monks.[1] More important from the point of view of pecuniary value would be the grant of a borough or a part of one, as in the case of the borough of Fordwich, which was originally given to St. Augustine's, Canterbury, then for some reason or other lost and finally restored by order of William I.[2] Grants of such a substantial character were naturally of great benefit to those fortunate enough to secure them, but later they proved extremely troublesome owing to the friction which constantly arose between the monks and the burghers, whose developing political consciousness caused them to chafe at their feudal restrictions.

The normal method of administration adopted in most religious houses was that by which certain estates or other sources of income were apportioned to different officers. The abbot generally had his own income derived from sources specially set aside for his support, possibly as a measure of precaution against an extravagant abbot who might encroach on the general funds of the house. All the greater officials, such as the sacristan, cellarer, etc., had their own special income and kept their expenses on the obedientiaries' account-rolls, many of which still survive.[3] This was the normal system, but in course of time the

[1] H. W. C. Davis, *Regesta Regum Anglo-Normanorum*, Cal. 377.

[2] Davis, *Regesta*, Cal. 98–100. The original gift may be seen in *The Register of St. Augustine's, Canterbury*, ed. Turner and Salter, i. 144.

[3] Sometimes income was allotted for quite small purposes, as for a lamp for the chapel of the Blessed Mary at St. Augustine's, Canterbury (*op. cit.* i. 80).

advantages of a central office and a central financial official came to be recognised, so that in later centuries there are frequent references to a treasurer or bursar. The institution of this official seems often to have been of a disciplinary character, for we find bishops, in the case of houses hampered by debt, ordering the appointment of a bursar as a first step towards the more efficient management of the monastery's finance.[1] It does not follow from this that in cases where a bursar existed all the income, both in money and in kind, passed through his hands. The obedientiaries still seem to have kept control of their own funds, but for special purposes they often had to make regular contributions to the bursar's fund.

In spite, however, of these financial measures and precautions many religious houses were constantly getting into debt. The cause may have been mismanagement owing to the unbusinesslike character of the obedientiaries concerned, or to the culpable negligence of incapable officials. In any case, the most common excuse advanced was the burden of hospitality. This undoubtedly must have been a great drain on the resources of many of the monasteries, especially of the larger ones situated on or near the main highways, or to those famous for their shrines, for to them many pilgrims would flock, and it is improbable that their offerings would wholly compensate for the expenses involved. Glastonbury for this reason had over sixty servants, besides workmen and farm labourers. Of course hospitality was admittedly no light matter in the Middle Ages, as is well revealed by one of the compilers' rolls of the abbey of Eynsham, where the visit of a bishop is set down as having cost the house one-tenth of the year's income.[2] Eynsham itself, which only contained fifteen monks in 1445, was so burdened with debt that after special inquiry by Bishop Fleming in the previous year £131 19*s.* 3*d.* had to be set aside each year for five years to liquidate the debt.[3] Even so, £258 was left for the use of the house. In 1440 Leicester abbey had no less than fifty-two secular serving folk for only seventeen canons![4] It is difficult, therefore, to believe

[1] For a fuller treatment of this subject, *cf.* R. H. Snape, *English Monastic Finances in the Later Middle Ages.*

[2] *Eynsham Cartulary*, ed. Salter, vol. ii. p. lxxx.

[3] *Linc. Vis.* ii. 90–91.

[4] *Linc. Vis.* i. 161, ii. 210.

that hospitality was the only, or even the chief, cause of debt. The abbey of St. Edmund at Bury was not the only house to be burdened with incompetent obedientiaries [1]; and it is possible that even debts seemed less formidable when there was always at least one well recognised method of alleviation.

Nothing is more characteristic of medieval procedure than the system by which benefices were appropriated to religious houses. The convent thereby became the rector and a vicar was duly instituted as deputy. The greater tithes passed to the monastery; the lesser tithes with, usually, a fixed stipend were deemed sufficient to support a vicar. The custom spread, but it was fruitful of many dubious results. In the first place, it meant the diversion of endowments originally intended for a particular parish to alien if laudable purposes. The vicar, even if adequately paid, could hardly be expected to take the same interest in the parish as a rector, when he knew that the major part of his income was going elsewhere. Furthermore, the vicars were not always adequately supported. The usual amount allotted to a vicar must have varied considerably, consisting as it did partly of the offerings made to the church from time to time. It seems to have amounted very often to about £10. In the county of Bucks it appears to have been £5 and a "competent manse." [2] In the diocese of Exeter under Bishop Quival it was to be proportionate to the value of the rectory,[3] while in the diocese of Lincoln under Bishop Hugh de Welles it approximated to one-third of the total value. These and many similar regulations indicate that there was a constant danger that the vicar would suffer in spite of the care generally taken by the bishop to see that adequate provision was made for him. Parliament found it necessary in 1392 to pass an Act insisting on a "convenient sum of money" for the poor and sufficient endowment for the vicar. The matter was dealt with again in 1402, 1404, and in 1432, when it was complained that vicarages in many parishes of the kingdom remained un-

[1] The failure to produce a proper account of a convent's income is one of the most frequent complaints in visitation documents; *cf.*, e.g., *Norwich Vis.* pp. 139, 161, 165, 173, 175, 176, 180, 184, etc. This alone seems to indicate a degree of slackness.

[2] *Victoria County History of Buckinghamshire*, ii. 284.

[3] Snape, *op. cit.* pp. 82–83.

occupied.[1] Obviously by the fifteenth century the system had become a scandal, but it was productive of serious evils long before that time. It spread with great rapidity, so that by the thirteenth century more than half the churches in the county of Bucks were appropriated to religious houses.[2] The dangers were obvious. Vicars with only a small income could not maintain the hospitality expected of the holders of benefices. They often became careless and sometimes non-resident. The churches were neglected, and the chancels, which it was the special duty of the rector to keep in repair, fell into decay. The same applied to the books and ornaments.[3] Such neglect was shown by the prior and canons of the Augustinian house of Merton in the diocese of Winchester, who were duly reproved by the bishop when he visited them in 1388.[4] There were similar complaints from Hertfordshire, in which even so great an abbey as Westminster was involved,[5] as well as from elsewhere. No wonder the system was so severely criticised by the Oxford chancellor, Gascoigne. Yet to have checked the evils of a system so widespread would have required supervisory machinery beyond the resources of the medieval bishop. The most that they could do was to guarantee as effectively as possible adequate remuneration for the vicar and to restrain the granting of appropriations whenever possible. The former was to some extent carried out by the frequent record made in institutions of the precise amount of the income allotted to the vicar for his maintenance ; the latter is illustrated by those cases of bishops refusing to sanction appropriations which occur occasionally in episcopal registers.

The discipline of a religious house was largely a matter of internal control. Every member owed implicit obedience to the abbot or prior. They were constantly reminded by the daily reading of a part of the Rule of St. Benedict in chapter of the ideals which should govern their corporate life. Their delinquencies had to be reported, and were

[1] For a fuller treatment of this subject, *cf.* Dr. Coulton's articles in *Hist. Teachers' Misc.* vol. iv.

[2] *V.C.H. Bucks*, ii. 283 ; *cf.* the long list of churches and portions of churches granted by Bishop Hugh de Welles to various convents (*Rot.* iii. 92–96).

[3] *Rotuli H. de Welles*, iii. 90.

[4] *V.C.H. Surrey*, ii. 101.

[5] *V.C.H. Herts*, pp. 310–311.

normally punished in chapter. Fasting on certain days of the week, particularly Wednesdays and Fridays, was the most common form of punishment; but for graver offences beating and even imprisonment were not unknown.[1] In the case of those houses which were cells of larger or foreign abbeys, their disciplinary supervision usually rested with the heads of the original foundation. The greater monasteries, which achieved exemption from episcopal control, generally only after a long struggle, were under the immediate jurisdiction of the pope. Other houses were visited periodically by the bishop of the diocese. The documents below will illustrate the procedure of visitation. After a preliminary notice announcing his intention, the bishop appeared before the monastery on the appointed day and went direct to the west door of the church, where he was received with befitting ceremony and escorted to the high altar, where mass was celebrated, unless his arrival was in the afternoon. He then proceeded to the chapter-house, where, after a sermon by one of his clerks or one of the monks, he proceeded in the business of his visitation. That consisted firstly of an individual examination of every monk, conducted in private, the statements of each one being taken down by a clerk or notary in attendance; these were known as *detecta*, or things revealed to the bishop. After this had been completed the bishop issued to the whole convent his *comperta*, or things discovered by him, and some verbal injunctions based upon his examination. This normally completed the business, and the bishop then dissolved his visitation, unless more serious matters had been discovered necessitating further investigation, when the visitation was adjourned to a later date, to be completed, most likely, by his commissaries. His written injunctions, which were by no means merely formal documents, in spite of some superficial resemblances, followed afterwards.[2] These were not

[1] At a meeting of the chapter of Augustinian canons held in 1276 prisons were ordered to be built in those houses where "their resources allowed" (*Chapters of the Aug. Canons* (Cant. and York Soc.), p. 9). It should, however, be remembered that the medieval idea of a prison was a place whence prisoners escaped; cf. *Durham Assize Rolls* (Surtees Soc.), p. xiv.

[2] For a more detailed account and much valuable explanatory comment, *cf.* Professor Hamilton Thompson's *Linc. Visitations*, vol. i. pp. i–xiii. vol. ii. pp. xliv–li, and p. 32, note 4; *cf.* Dr. Coulton's *Five Centuries of Religion*, vol. ii. chs. xvi.–xxv., particularly p. 268.

usually preserved in the bishop's official register, but in other rolls or books kept for the purpose; but a very considerable number were copied into the registers and have thereby been preserved, whereas a large number have disappeared. The procedure in the case of nunneries was almost precisely similar.[1] Those cases which happen to have been preserved in the bishop's register were inserted either because the particular visitation was causing some difficulty, so that the documents would be required for further reference, or because the documents involved formed useful precedents for future use. In cases where the visitor discovered that a monk was defamed of a particular offence recourse was had to what was known as compurgation, by which the supposed delinquent found a stated number of his fellows to swear to his innocency. If it were only a minor offence he would be allowed to clear himself upon his oath, but compurgation was normally necessary for the more serious cases. Such a system was obviously open to some very serious abuses. That it would err on the side of leniency is self-evident, not only because the brethren would tend, whenever possible, to support one of their own fraternity, but also because each one would be only too conscious that at some future time he might be in a similar predicament. Whenever the system failed to establish a delinquent's innocence, or whenever the evidence of guilt sufficed, the normal procedure, in the case of those occupying positions of responsibility or trust, was suspension or degradation after adequate examination.[2] If, however, the offence were committed by an ordinary monk, removal to another house for punishment was sometimes the method adopted.[3] For small delinquencies fasting on a certain number of days was the usual punishment enforced. In addition to these there were other forms of punishment which could be used when necessary, such as corporal punishment administered in the chapter-house and imprisonment in the monastic prison. In the case of Durham, where the prisoner could only be fed through a trap-door in the roof by the master of the infirmary, the latter punishment must have been no light one.[4] It is, however, very difficult

[1] *Cf.* Eileen Power, *Medieval English Nunneries*, ch. xii.
[2] See Sect. I, No. 25. [3] See Sect. I, No. 19.
[4] *Rites of Durham* (Surtees Soc.), p. 89.

at this distance of time and with such imperfect and fragmentary material to estimate with any degree of accuracy the effectiveness of medieval monastic discipline. No doubt much would depend upon the tone and spirit prevailing in a particular house, and these would very much depend upon the character and ability of the abbot or abbess. Stress is often laid upon the regularity of episcopal visitation of non-exempt houses, but it must have been difficult for a bishop to ensure that his injunctions, however stern, would be carried out once his august presence was withdrawn. Visitation documents tend to support the view that the general standard of discipline varied considerably, but that after the thirteenth century there was a decline, slow but progressive.

SECTION I. DOCUMENTS ILLUSTRATING THE RELIGIOUS LIFE

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1. Notice of a Visitation

[Reg. de Gandavo (Cant. & York Soc.), p. 101, A.D. 1302.]

To the Abbot and convent of the monastery of Reading for carrying out a Visitation in the same.—Simon by divine permission bishop of Salisbury to our beloved sons the Abbot and convent of the monastery of Reading health, grace and benediction. Proposing therefore to come down in person to your garden on the Tuesday next after the feast of St. Andrew the Apostle and to see the vine which the right hand of the Lord hath planted amongst you, we command firmly enjoining upon your devotion in virtue of obedience that in all things which are known to affect such Visitation both in head and members you will take care to hold yourselves so prepared that you will be able to receive such Visitation to the increase of your salvation, the correction of morals and the usefulness of your said monastery according to the canonical institutes. And what in the foregoing your Society deems should be done by us when we come down to you on the said day you will cause to be known by your letters patent containing details thereof. Farewell. Given at Ledecumbe Regis, 4th Nov. A.D. 1302 and in the sixth year of our consecration.

2. Visitation of Norwich Priory

[Visitations of the Diocese of Norwich [1] (Camden Soc.), pp. 1–6, A.D. 1492.]

The ordinary general Visitation of the reverend father in Christ and lord, James, by the grace of God and of the apostolic see, bishop of Norwich, carried out personally by him in his cathedral church of Norwich, proceeding in this fashion. On Friday, the fifth day of the month of October in the year one thousand four hundred and ninety-two and in the twenty-first year of the consecration of the same reverend father. The same reverend father coming in person to his cathedral church of Norwich for the purpose of carrying out such his Visitation was received outside the west door of the same church by the prior and the whole chapter with solemn procession, and then the responsory of the Holy Trinity having been commenced by the precentor, the standard of the Holy Cross being held high before them, with bells pealing and organs [2] playing he came to the high altar. Where, when prayers had been offered to the eternal God and his solemn benediction bestowed upon those standing round, he immediately entered the Chapter House together with the prior and the Chapter, and with those most learned men Masters Nicholas Goldwell archdeacon of Norwich, Thomas Shenkwyn Doctor of Laws, official of the consistory of the bishop of Norwich,

[1] This visitation is the one exception in this volume of a document not strictly from a bishop's register but from episcopal records. The example, however, is so interesting and so similar to many that are preserved in episcopal registers that it seemed worth while to print it here.

[2] The Responsarium was an anthem of which the first part is sung by one or more cantors, the remainder by the full choir; *cf.* Hamilton Thompson, *Linc. Vis.* i. 247.

Henry Falk, Doctor of Degrees, his Corrector or Commissary-general, and me Aphowell, public notary by apostolic and imperial authority,[1] the writer of these acts appointed for this duty by the said reverend father. Where, when the Word of God had been then proclaimed by Master Framingham, sub-prior, that religious man William, prior of the Cathedral Church, appeared in person there before the said reverend father and actually displayed certain original letters of citation and inhibition, signed, as it appeared, with the seal of the same reverend father which remained in the Register together with the schedule containing the names and surnames of those cited annexed to the said letters. When these had been read clearly and publicly by me, notary, aforesaid, from the mandate of the said reverend father, the said Prior also with the other monks and brethren all and singular of the aforesaid cathedral church of Norwich being summoned and appearing personally, and the oath of canonical obedience having been taken by the said Prior in his name and in the name of all and singular the brethren and monks of the said cathedral church, and as the letters of the said Prior by which he claimed to have his title in that cathedral church were not shown, he agreed to show them at the proper place and time.

The aforesaid reverend father proceeding in the business of his Visitation according to law committed the examination of the brethren and monks of the same his cathedral church of Norwich to the said

[1] A Notarius was an ecclesiastical scribe in minor orders, to be distinguished from a Tabellio, who was not ; *cf.* Professor Jenkins, *Ecclesiastical Records* (S.P.C.K.), pp. 19, 20, 62. A good example of the confusion between these two terms which arose in later medieval times can be seen by the Admittance of Ralph Hauyes by Bishop Myllyng, given on p. 129 *infra.*

Nicholas Goldwell, Thomas Shenkwyn and Henry Falk equally, and specially deputed them his commissaries in this matter by word of mouth, the account of the said prior about and upon [his] administration having been presented and shown. The same reverend father and his commissaries aforesaid examined privately and separately the said Prior and the other brethren of the same house about and upon the state of that cathedral church itself both in spiritual as in temporal matters. And then the said reverend father adjourned such his Visitation up to the second hour in the afternoon of the same Friday with the consent of the above-mentioned prior and the greater part of the chapter.

When the second hour had arrived the said reverend father came personally, together with his aforesaid commissaries, to the above-mentioned chapter-house, where when certain other monks and brethren of that cathedral church of Norwich had been examined by the reverend father himself and his said commissaries about and concerning the state of that house, the aforesaid reverend father, in the presence of the major portion of the chapter and with their express consent, adjourned such his Visitation until the Sunday next following from then.

When that Sunday had come, in the said chapter-house, when certain other monks had been examined secretly and separately by the aforesaid reverend father and his commissaries aforesaid about and concerning the state of the house above mentioned, the same reverend father, in the presence of the major portion of the chapter and with their consent, adjourned his Visitation unto and to the Monday then next following, reserving to himself the right of examining the other monks of the cathedral church on the Lord's day also. The findings of all

and singular the prior and monks are inserted here following.

Firstly that the third prior[1] is indiscreet in making corrections.

Also that women spend the night within the walls of the monastery[2] contrary to its statutes and the rule of religion.

Also that the jewels of the monastery have been sold and the post of sacristan is the poorer by an hundred marks.

Also that due silence is not observed in choir, cloister and dormitory.

Also separate offices are not distributed amongst separate individuals because sir Denis has in his hands the offices[3] of Commoner, Almoner, Infirmer, Pittancer, and the incomes of the same and is master of the hospital of St. Paul de Normannys.[4]

Also the master of the altar does not lie in the church and this is to the great peril of the church and contrary to its ancient custom.

Also that the sub-sacrist spends his money too freely and wanders outside the monastery at night and sits with the tailor and his wife beyond a proper hour. And that the aforesaid tailor and his wife live within the precincts of the monastery to the great scandal of the same.

Also that certain jewels given to the high altar

[1] The prior was responsible for the general administration of the monastery, under the abbot, and was generally known as the claustral prior. Other priors were appointed for special duties distinct from the economy of the house, which was managed by officers or obedientiaries. The sub-prior performed the duties in a priory; cf. *Linc. Vis.* i. 244, 245.

[2] *Cf.* Coulton, *Five Centuries of Religion*, vol. i. ch. xxviii.

[3] *Cf.* Introduction to the section on Religious Houses for the explanation of some of these terms. The commoner was a very minor official who provided wine, spices, etc., for special occasions. The pittancer was responsible for issuing an extra allowance of meat or fish to the monks on similar occasions.

[4] This was one of two such houses in the city of Norwich, and consisted of a master and a number of sisters and junior sisters (*dimidia sorores*).

of the blessed Mary by lady de Blakeney have been disposed of by the sacristan.

Also, that the management is bad in the infirmary and the infirm there are badly treated.

Also that the said Denis keeps a garden for his own use with a saffron tree. And that the garden belonged of old to the convent for its herbs.

Also that the chantry pensions of Harpingham, Wakering, and Tye are not paid

Also that lay folks sit at table with the monks and brethren.

Also that choir is not kept by the monks properly.

Also that the monks sit and walk within the church and its precincts and talk too much with dishonourable women and with those who are of ill fame.[1]

Also that the monks have not sufficient fire in winter time.[2]

Also that the gates and doors of the monastery are not shut at night.

Also that no monks have been sent to study letters in the University of Oxford and this to the great scandal and loss of the monastery.[3]

Concerning and about these matters all and singular the Injunctions of the said reverend father follow in these words.

James by the grace of God and the apostolic see bishop of Norwich to those religious men the prior and chapter of our cathedral church of Norwich health, greeting and benediction.

When in our recent visitation of you carried out

[1] See note on p. 25 above.

[2] This refers to the *calefactorium*, or warming-house, where the monks were allowed a fire in winter. Its usual position was beneath the dorter or dormitory, as at Durham. It was sometimes used for bleeding and shaving; cf. *Rites of Durham* (Surtees Soc.), p. 270.

[3] See note on Gloucester Hall, p. 30 below.

by us in person in our said cathedral church of Norwich we found some things deserving reform and correction, which things we were unable to leave unreformed and uncorrected by dissimulation with averted eyes, we give and make the following Injunctions by virtue of our pastoral office in these writings, since *the voice passing through the ear quickly perishes*, in the form of the following words :

Firstly, whereas Heaven does not suffer ambition, as in the first angel, it is only right that all force of pride and ambition should remove itself from holy religion (which is founded in humility) by Injunctions we decree and by decrees we enjoin (for bringing back this our bride the holy church of Norwich, and the brethren serving God there, to the cradle of its first foundation) that all the statutes and ordinances made and ordained by the prior, lately dead, and the then seniors in the time of his rule and by any others whatsoever in our cathedral church aforesaid occupied in the regular observances, either in Choir or outside by which reverence, which was due to the Bishop alone, was diverted to the prior or to some other person (as in the attendance of the Precentor, which should only be done for the bishop, and in putting off of copes, and by the use of that name of Father, and such like) we have quashed, annulled and rendered void, as by the tenor of these presents we do render void, quash and annul, commanding by virtue of obedience and under penalty of contempt that such things shall not be attempted in the future.

Neither shall the masters of the novices,[1] present or future, who are about to instruct them in the regular discipline instruct them in any other way

[1] For an account of their duties, *cf.* Introduction to Sect. I.

than that in which they themselves were instructed out of the ancient custom from the foundation of the church, altogether driving out and annulling the new teaching.

Moreover we warn the first second and third time and peremptorily all and singular the authors of these ordinances and statutes (if such deserved to be so called) that within three days from the time of the publication of these presents one for the first time, second for the second time and third for the third time, and finally peremptorily, that they cause them to be erased and deleted from the books in which they have been written, otherwise if faults, failures or negligences of them hinder, from now as from then and from then as from now we excommunicate them by these writings.

And since the workman is worthy of [his] hire,[1] we enjoin that there shall be served to the brethren alike in the refectory [2] as in the hall and elsewhere, touching the number of dishes, gifts [3] and drink, especially on each greater festival and vigil, as much as it was wont to be done.

Also we ordain that brethren who are accustomed to be assigned to tabled masses [4] shall be assigned to Chantries and no others unless the foundation of the Chantry demands and requires otherwise.

Also because on account of the sudden and un-

[1] St. Luke x. 7.

[2] The refectory or frater was the common dining hall of the monastery. The monks were read to during meals from a raised stone pulpit such as can be seen in the restored refectory at Chester, or, in an entirely detached form, at Shrewsbury.

[3] *Bonitatæ*, most probably pittances, which were special dishes or allowances granted to a convent on special occasions, as well as to the sick in the infirmary; *cf.* Pearce, *Monks of Westminster*, p. 104, *et passim*. It may, however, refer to *exzennia*, or special gift in kind, made to a monk on important occasions in his career (*op. cit.* pp. 21–22).

[4] Masses to which monks were assigned by names written upon a *tabula* or list.

expected removal of some priors,[1] very often not only the prior who has been removed but also the priory suffer grave loss, by our decree we enjoin that for the future before a period of six years no prior shall be removed unless a legitimate cause exists approved by our prior of Norwich and the greater part of the older and saner members. And if it should be doubtful whether the cause of removal be legitimate or according to reason the bishop shall be consulted before such prior be removed. And we will that those are to be accounted seniors in such a case whom the taking of their vows gives precedence.

Also by our decrees we enjoin that the presidents, according to the sanctions of the holy fathers, shall diligently visit the sick brethren in the Infirmary daily and shall have made for them things necessary for eating and drinking according to the nature of their sicknesses and that servants shall be deputed for their help by the prior according to the number of the infirm lest sick brethren should perish through lack of care.

Also since a last will has the force of law, always bearing in mind that we are trustees of last wills, we strictly enjoin upon you that all foundation of obits [2] and chantries which are lapsing shall be maintained, every obstacle being removed, according to the force, form and effect of their first foundation, as you are willing to avoid the punishment of the sacred canons. Against any offenders we threaten the gravest censures, reserving their absolution and release especially to ourselves.

Also since one cannot plough with an ox as well

[1] See Addenda.

[2] The anniversary of a benefactor's death, celebrated with a mass. Called sometimes "certeynes," as in the *Paston Letters*. The word was used, of course, for anyone's anniversary who left sufficient money for the purpose.

as with an ass and that brothers at their meals may remove themselves from consorting with lay folk, we enjoin that brothers who do not keep refectory may sit at the time of meals in the Infirmary where they may be able more quietly to attend to contemplation, devout communion and the reading of the sacred Scriptures.[1]

Also the decrees and Injunctions of lord William Bateman [2] our predecessor of blessed memory, made formerly at his visitation, especially concerning women not spending the night or being secretly introduced within the walls of the monastery, we admonish and will that they remain in their strength and force.

Also, since by decree of the sacred canons singular offices are committed to separate persons we decree and by our decree, we enjoin that no monk of our said cathedral church be admitted for the future to more than one office of the said priory, as they are willing to avoid the punishment of canonical transgressions.

Also that any reproach of inexperience may be removed from our spouse and virtues may increase by doctrine we strictly enjoin by virtue of holy obedience and under penalty of contempt that two monks and brethren, apt in study, be sent to the University of Oxford for the purpose of studying to remain in that place of yours allotted for this purpose within the precincts of the college known commonly as Gloucester College,[3] with a succession

[1] For the practice of public reading in refectory, see note 2, p. 28, above.

[2] Bishop of Norwich, A.D. 1344–55. Consecrated at Avignon by Pope Clement VI (Stubbs, *Reg. Sac. Angl.* p. 75).

[3] This became part of the Benedictine system after the year A.D. 1290, when at a meeting of the chapter-general of the Benedictine order held in Abingdon, presided over by Walter de Wenlok, abbot of Westminster, Gloucester Hall or College was founded (Pearce, *Monks of Westminster*, p. 26). The custom at Westminster was for each student to be paid £10

of others whenever it is necessary for them to be removed for just cause, by which our church shall be made famous, reproach shall be far removed and the avarice of those who are known to have usurped your place there, as it is asserted, by certain illegal interferences shall be legitimately curbed.

Also we enjoin that none of the brethren shall cause a quarrel or dispute with any other brother concerning anything discovered by or revealed in our Visitation, but sustain and support one another peacefully under penalty of suspension from the divine services. And that the foregoing may have force we affix our seal to these presents.

Given in our manor of Hoxne on the twenty-seventh day of April in the year of our Lord one thousand four hundred and ninety-three, and in the twenty-first year of our consecration.

The names of the Prior and monks here follow :

Sir William Spink, Prior [and 45 names here follow].

And this Visitation was adjourned with the consent of the prior and chapter until and upon the 24th day of the month of November then next following, and from that day until the Wednesday next after the Easter Synod then next to come.

annually by the convent treasurer. Dr. Pearce observes that "it will be found that a large proportion of those who were sent to Oxford rose quickly to positions of trust in the Convent" (*William de Colchester*, pp. 19, 20).

3. Injunctions for a Priory

[Reg. Peckham (Rolls Series), vol. ii. p. 645, A.D. 1284.]

Brother John, by divine permission humble minister of the church of Canterbury, primate of All England to the beloved sons . . . the prior and convent of Montesfont, of the diocese of Winchester, health, grace and benediction. When carrying out some time ago a metropolitan visitation in your church, we found certain things, brother prior, brought against you, not by flimsy testimony as we think, which if they should be found altogether to be true, would render you unworthy of all the honour of your order. But since you have humbly and entirely submitted to our grace your state and person, we have postponed the sentence of your removal from office, reserving to ourselves full power of inflicting the sentence, in canonical form if at any time it should seem expedient to us, that you should be removed from the office of prior and another appointed. But in the meantime while you remain permissively in office we command you to observe faithfully the things which follow. Firstly that you remove every suspected servant of whom we have told you by name before when we met, nor are these or any like them to be received for the future. Also you must avoid conversation with all suspected women, not only those about whose familiarity scandals have been raised up against you, but all others about whom suspicion might be aroused against you. And whenever you have been discovered to have had suspected conversation with any such woman, I say suspected either by reason of notorious character or by reason of a solitary

and single whisper or with any companionship, suspected (which is the same thing) by reason either of place or time, we will that from that moment you are to be regarded as convicted and by these presents suspended from office, unless you are able to prove your innocence in canonical form by sure evidence before the bishop or his official. And if by chance undue favour by some surreptitious means be extended to you by these or one of them we will that the business be referred to us. Also we command you in virtue of obedience that for the future you do not have any exit from the cloister for business which cannot be carried out by another or others. But whenever it happens that for any particular reason you go outside, you are to take with you one or more of these five canons without refusing, *i.e.* brother Richard Brikevile or brother William de Bristoll' or brother Alan de Snaham, or brother William Prisset or brother Thomas de Berton' from whom you shall not be separated or turn aside. And because you have for three years occupied the office of exterior cellarer, which we firmly forbid for the future, we command that you are to be bound to render a full account of the receipts for these three years, within a fortnight from the time of the receipt of these presents. Also we recall to your memory that, under penalty of the major excommunication, which we willed and do will that you incur if you presume to attempt the contrary, reserving to ourselves alone the power of absolution from such sentence, we have strictly forbidden you to oppress by reason of our Visitation either yourself or through others or cause or even permit to be oppressed any of the canons or lay brothers deliberately by word or deed or by withdrawing the consolation of religion. And this sentence we also extend to all canons in

a similar case. And if by chance by diabolical instigation it should happen that you presume the contrary by bringing burdens upon one or any of them arising out of the aforesaid causes it should be open to one so burdened to make known his troubles to us wheresoever we may happen to be notwithstanding any previous inhibition. Furthermore we earnestly desire you to remember that we deem you bound to enter upon a stricter form of religion. And we desire that the things which follow shall be observed by you and your successors for ever. Firstly that the prior for the time being, according to the spiritual and bodily weaknesses of all the canons, shall take care that they be consoled with recreations without respect of persons, and also to punish offenders, observing this that the prior, for the graver crimes, shall punish offenders with the advice of the sub-prior, third prior and other praiseworthy seniors. Also before the need becomes pressing, important affairs be put forward in Chapter in order that the brethren may be able to deliberate upon them before a definite conclusion shall be come to about the business. Also all secular guardians of manors and those deputed to interior offices, also interior and exterior obedientiaries, should be promoted with the advice of the seniors or the whole college, because what touches all ought to be approved by all. An Infirmary servant sworn, fit and cheerful should be deputed for the purpose that the sick should not be compelled to make known their needs to outsiders. Also the prior for the time being should assiduously visit the sick and with all consideration provide for the necessities of each one which we firmly and strictly enjoin upon him ; and every year according to the statutes of the council of Oxford, he ought to change his chaplain who shall

be mature, discreet and honest, and of good repute amongst the brethren. Also the prior should diligently give heed that whenever any danger concerning the faults of the brethren or the state of the college should be revealed to him with an appearance of truth he should immediately take care to amend it with the advice of the discreet brethren lest by delay the danger may degenerate in open scandal. But women cheese-makers should be altogether expelled both from the confines of the monastery and from every manor and men such as understand the task are to take their place. And if sufficient of these cannot be found it is permissible to receive old women but no woman who has not passed sixty years according to the opinion of St. Paul. Furthermore let provision be made for an exterior cellarer who shall receive the goods of the monastery as was accustomed to be done in times past. Nevertheless provision shall be made by the prior with the advice of the whole chapter concerning the two treasurers who shall receive all the goods of the monastery from the aforesaid cellarer and from all who have to deal with the common goods of the church. And whatsoever the prior spends inside or outside he shall receive in money counted from the hands of the said treasurer not by himself, who must not soil his hands with money, but through a chaplain who concerning all receipts and expenditures shall render a full account touching inside expenses before he goes out and outside expenses after his return, forbidding the prior under penalty of major excommunication which we will that he shall incur if he shall presume to attempt the contrary, that in no other way whatsoever shall he misspend the church's money for himself or any other either inside or outside. Also the treasurer and other obedientiaries four times a year

at the four chief quarters of the year shall always render an account before the senior members of the chapter, so that the state of the monastery may be known at other times. But a final account concerning the granges and all the other goods of the monastery whatsoever, shall be rendered at the end of the year and the account roll shall be kept in the Treasurer's chest. Furthermore in the absence of the prior, the cellarer and sub-cellarer and other obedientiaries shall do all things with the advice of the sub-prior and in his absence with the advice of him to whom the rule of government in the meantime has been committed. And none of them shall go out of the monastery in the absence of the prior without the licence of the president. And the necessities of the sacristan and precentor shall be provided for by the prior according as is said to have been the intention of the founder. And the sacristan shall be bound to proceed concerning all necessary works touching the church with the advice of the prior and chapter. Furthermore we firmly and strictly command that on the days of the anniversaries assigned for prayers for the dead pittances shall be made according to the intention of those who have assigned their alms for the purpose. And as often as the prior or whoever acts for him in the future shall presume to convert those alms to other uses without inevitable necessity so often he shall be bound by obedience to fast on bread and water and while he shall be so fasting we suspend him from divine service. Also we command that this letter of our ordination shall be kept under the keys of the treasurer and on the first day of every month on which the prior will be present in chapter it shall be read before him and all the other professed brethren. Farewell. Given at Bittern, 26 Jany. 1283, the sixth year of our ordination.

4. Visitation of the Abbey and Convent of Wigmore

[Reg. Spofford (Cantilupe Soc.), p. 64, A.D. 1425.]

Certificate to the President of the Court of Arches.—To that man of reverend discretion, etc., Thomas, etc. Since in many arduous affairs touching ourselves and our church we have been many times prevented from proceeding further about and upon the foregoing regarding your mandate, we will therefore that the business of the whole of the said complaint and the cause alleged in the said complaint and all that appertains to it be dealt with in the court of Canterbury, etc., and we cause to be cited peremptorily those religious men above, the Abbot etc. on the fifteenth day of Feby. in the year of our Lord mentioned above that they appear lawfully before us, etc., on the day and place for doing and receiving etc., contained in your mandate. In the matter of which, etc.

Report of the Inquiry

The Inquiry made in the Chapter House of the Abbey of St. James of Wigmore [1] concerning every defect and excess in the regular government and observance of divine service, in the spending of the goods temporal and spiritual, in the dilapidation of

[1] The abbey of Wigmore appears to have originated in the founding of three prebends in a parish church by Sir Hugh de Mortimer in 1100. In 1179 this benefaction assumed a distinctly monastic form and became a convent of Augustinian canons (Dugdale, *Monasticon* (ed. 1846), vi. 344). This house, as the Hereford registers show, was the scene of frequent irregularities. In 1248 it took the somewhat exceptional course of founding a chantry priest in Hereford cathedral to pray for John Bacon, its benefactor, but by 1303 it was being cited for non-payment of the five marks (Capes, *Charters and Records of Hereford Cathedral*, pp. 82, 173).

the houses of the said Abbey and of the manors belonging to the same, and other matters concerning the Abbot and convent of the same Abbey, by Masters Robert Haliday, otherwise Unest, and John Vir, Bachelors of Degrees, to the Reverend, etc., Thomas, etc., commissaries specially deputed for making such inquiry, 23 Feb. A.D. 1424.

Names of the Abbot and each of the brethren :

John Bury, Abbot	Walter Bacster
John Trylley, Prior	John Etone
John Ludbrook	John Suckeley
Richard Haleway	Walter Dale
Thomas Hereford	Richard Leyntwardyn
Thomas Dale	John Hore
John Hugenes	

Having sworn to speak the truth upon the holy gospels of God in form of law before the lords commissaries sitting in the chapter-house for the purpose of conducting the said inquiry—

John Bury, Abbot, being sworn and diligently examined upon certain articles usual in such an inquiry, touching the first article, *i.e.* how many years he has been Abbot of the said monastery, he says for twelve years ; asked about the second article he says that he was elected Abbot for seven years. Asked concerning the third article, *i.e.* concerning the state of the house at his entry and at the present time, he says that the house was then in debt to the extent of four hundred marks and that it is now in debt to the extent of fifty pounds, as is patent, as he says, from the roll [1] up to the end of Michaelmas last past. Asked concerning the fourth article he says that the common seal is kept under a lock with

[1] *I.e.* the compotus roll containing the accounts of the different offices.

three keys which are in the custody of the Abbot himself, the prior and one other of the canons of the house. 5.[1] He says that he presents freely to every benefice, however he says that each one presented is bound to the abbot and convent in a certain sum of money not to proceed otherwise against them by seeking any increase of the benefice which he holds. Asked concerning the vicarage of Momele and by what right the chaplain celebrates there he says by the authority of the commissaries and not by his own. 6. He says that he has twelve brethren professed and all are in the order of priesthood except one, neither is it laid down for him, as it is asserted how many he should have in number. One, he says, has gone out of the house by apostolic authority. 7. He says that all the brethren are obedient to him except two, who are unwilling to obey a certain Thomas Hereford, appointed sub-prior by the Abbot himself, but one of them appealed from his correction; and John Aylmondestre left the house as an apostate.[2] 8. He says that he ordained two confessors, *i.e.* the prior and John Ludbrook, to whom, as he says, all his brethren rightly confess except in reserved cases, and licence being sought and obtained from him they go to confess to other brethren. Asked further whether he celebrated in defiance of the sentence brought against him or whether he was bound by any other sentence, he says No. Asked concerning the sentence brought against him on behalf of Sir Nicholas Boteler, vicar choral of the Cathedral Church, by Master John Stanway, then commissary, he says that there is no sentence against him because

[1] To avoid repetition, the phrase *Quinto interrogatus* and subsequent similar phrases are not translated.

[2] *Tamquam apostata*, this was the recognised term for those who left a convent or order to return to the world.

he had no authority. Asked how many usual masses they have, he says three, however he says that they have sometimes more. 9. Asked whether the brethren come to choir duly according to the regular observance for the divine services and for each of the customary nocturnal hours, he says that it is done by the greater part, and those who fail are corrected in the chapter-house according to the regular institutes. 10. He says that they duly observe the regular habit in everything, but with regard to boots he says that they have been allowed to dispense with them by the Archbishop. 11. He says the convent observes the rule of eating in one place every day for breakfast and supper with the observance of the reading. 12. He says that in the usual way the brethren lie in the dormitory separately. 13. He says that every day at the accustomed hour Chapter is held in the Chapter House and there the offences and excesses of anyone are duly punished according to their extent. 14. Asked whether any brethren were possessioners [1] he says that he does not know. 15. Asked whether any of the brethren receives a portion or pension outside of the monastery, he says No. Also, how much each of the brethren receives annually he says forty shillings and commons and clothing from the common fund. 16. He says that he has a hunter and one pack of hounds and four hares for recreation when the brethren go out to the Seynes.[2] Asked concerning the continence of the brethren he says they are continent nor are they bespattered with infamy except one by name Thomas Dale who is defamed with a certain woman; how-

[1] *proprietarii*, the term applied to those who broke the Rule by having private possessions.

[2] The English equivalent of *minutio*, blood-letting. All monks were bled periodically, during which time they were allowed more dainty food and the rigour of their Rule was relaxed; cf. *Linc. Vis.* i. 237.

ever, he says that he offers himself for purgation.[1] 18. He says that divine service is said distinctly and by note [2] at the accustomed hours; also divine service for the dead and for founders is duly observed. 19. Asked how many and who are the officers who dispense the goods of the monastery he says that there is a chamberlain, a receiver-general, a cook, an almoner, etc. 20. He says that every year an account and reckoning of all the rents of the said monastery is rendered. 21. Asked concerning the access of women he says that a certain old man keeps near the gate a certain oldish woman who looks after the cows and other animals. 22. Asked concerning the disturbances of the brethren he says that there are two brethren who ordinarily disturb the fraternal society whom he was unwilling to name until the arrival of the said reverend father in his visitation. 23. Asked concerning the buildings he says that both the said Abbey and each manor and house belonging to the same are in need of repair and he confesses the ruin of everything as being notorious. Asked further in what way they made presentations [to livings] he says that no one unless he is first bound in twenty or forty pounds [admits] that he holds the due portion of the vicarage assigned to him, which [obligation] he says they have of long custom.

John Trylley, the prior, being sworn, examined and asked concerning the first article agrees with the Abbot; asked concerning the election of the said Abbot he says that it was done by lot, but he did not depose very clearly; asked concerning the presentations he agrees with the Abbot. In all the other

[1] The process here referred to is called compurgation, by which he would have to find a stated number of friends to swear to his innocence; *cf.* Introduction to section on Religious Houses.

[2] *I.e.* with music.

articles he disagrees with the Abbot. Asked who are the officers of the house he says that there are too many, *i.e.* Chamberlain, Granator, Cellarer, Cook, Infirmarer, Almoner, Guest-master, Sacristan and Precentor. Asked who are absent he says that John More, John Etone and John Aylmondester, professed canons. Asked to whom the Abbot confessed he said he did not know, but he says it is not to him.

John Ludbrook, being sworn, says that the hours of the blessed virgin and the services of the dead are said by some of the brethren too rapidly and without devotion. Also the books of prayers for divine service are very much damaged, some by wear, others by the breaking of their covers, others by the coming to pieces of their bindings and by other hurtful things. Also he says that his order says that the daily hours ought to be sung at their accustomed times in choir and especially nones ought to be sung at certain times of the year after the midday siesta, which is too little observed. He could make no further deposition because for a long time up to the present coming of the Earl of March for the expulsion of the Abbot he was absent for the reason that formerly he had caused to be held there a certain Chapter-General to treat about and upon the defects and excesses, upon which he had letters mandatory of the Archbishop of Canterbury directed to the said Abbot and convent which they were unwilling to obey.

Richard Haleway, being sworn, etc., could make no depositions because he was driven out with the said John Ludbrook by the lord Abbot for the said cause and was thus still wandering through the whole world seeking rest and finding none until he was brought back now by the said knight.

Thomas Hereford being sworn, etc., concerning the fourth article agrees with the Abbot. Asked concerning the second article he says that he entered canonically but does not depose how. Concerning the state of the house he could not depose because he was a claustral. Asked whether the Abbot entered the choir he said that he did so as all the other abbots had done and when he was inclined he celebrated mass. Asked whether the Abbot confessed he said that rightly he confessed to the prior. Asked who are the confessors of those ordained he says the prior and John Ludbrook. Asked concerning the observance of divine service he says that it is not duly observed in everything, however he says that on the preceding day the Abbot in full chapter ordered and requested all his brethren that they would reveal nothing to his lordship which could be reformed by him in chapter. Asked concerning the habit he says that he has a woollen habit which he believes to be legitimate. In other things he agrees with the Abbot, etc.

Thomas Dale, being sworn, and with great difficulty examined, agrees in everything with the Abbot. Asked whether the Abbot confesses he says that he has one confessor but he does not state whom. Asked concerning the account he says that once a year an account is rendered but he says that the account of some of the brethren is not duly rendered but he does not say of whom. Asked concerning the disturber of the brethren he named one of those whom the Abbot describes as disturbers, namely John Suckly.

John Hugenes, being sworn, examined on the first article he agrees with the Abbot, he says however that the Abbot is not present duly at the divine services, as he is bound. Also he says that the said

Abbot made and ordained officers, namely the Chamberlain and others without the consent and goodwill of his brethren. In other things he agrees with the Abbot.

Walter Bacster, being sworn, examined on the first article agrees. Asked concerning the second article he says that the election of the said Abbot did not proceed legitimately and is invalid in itself which he intends to prove because he says it had been done too quickly and by requests and gifts. Also he says that the state of the house from the time of his election until that day had deteriorated by one hundred pounds because the buildings of the monastery and of each of the manors are in ruins almost to the ground. Also he says that the monastery is now indebted in one hundred pounds, however it can be learnt better from Roger Atteys, the auditor. Also he says that the Abbot after denunciation and the carrying out of the mandate of his lordship, collector of the Pope, made to him by William Stowe, notary public, he celebrated from the feast of the Epiphany of our Lord up to the end of Lent next following. Also he says that the Abbot did not care nor cares up to the present for the sentence of excommunication carried out after three years had elapsed by Master John Staneway brought against his person on behalf of sir Nicholas Boteler, nor up to this very day had he obtained absolution. The Abbot was unwilling and even refused with contumely to obey the mandate of the Archbishop of Canterbury obtained by John Ludbrook and Richard Haleway, canons regular of that monastery, for holding there a chapter-general of the whole order for treating about defects and excesses, but he also expelled the same, his brethren, nor permitted them ever to enter the monastery until the arrival of the

lord Count of the Marches the founder. Also the same Abbot committed simony because he received from sir Gillas, now vicar of Wigmore, eight marks for his presentation to the said vicarage. Also from the vicar of Staunton for his presentation, etc., forty shillings. Also from Griffin Fordam de Lodell for presentation of the present vicar of Bishop's Castle four marks. Also from sir John Silligrove, chaplain, for his presentation beforetime to the vicarage of Neen Savage, he received twenty-six shillings and eight pence. The same Abbot caused loss by alienating a certain tenement, in Hereford, of the annual value of five marks for twenty marks paid to him in ready money, which twenty marks never came to the profit of the house. Also that a certain Thomas Wugin bought a tenement and gave it to the said monastery for the celebration of his anniversary there for ever. Also he alienated a certain tenement which John Bullesdon at Turpilton bequeathed to the said monastery, to sir Roland Leynthal, knight. Also a certain sir Walter Hewett, knight, bequeathed two vills to the said monastery and he gave sufficient money into the dead hand of the same, which a certain vicar of Wigmore sold for three hundred and forty marks and that same Abbot claimed to be quit and released the right of the house and the monastery to a certain man who bought the said vills for forty pounds, which until this very day have never come to the profit of the house. Also he says that the same Abbot revealed the confession of the said witness, Walter, of John Ludbrook and of other of the brethren who confessed to him. Asked whether the Abbot confessed he says he is unable to say. Asked for what cause John Cloe withdrew he says that he feared lest death should come to him by John Etone. Asked concerning the

continence of his brethren he says that Thomas Dale is defamed with Isabella Barbour; the same is defamed [1] with Isabella Bogh. In other things he agrees with the prior. All which is contained [2] in a certain schedule delivered to master John Berewe, commissary-general.

John Etone, sworn and examined as to the first article, agrees with the Abbot. Asked how the said Abbot entered he says it was canonically but he cannot depose how. Again asked about the state of the house he says that it is decaying on account of Thomas Dale. In other matters he betook himself to the prior's schedule and agreed with the said prior. Questioned further he said that the abbot enjoined and begged that they should bring forward nothing except such things as could not be corrected by himself in the Chapter House.

John Suckeley, sworn, etc., says that the Abbot admonished and enjoined once, twice and peremptorily under penalty of obedience that no one should reveal anything which could be corrected in the Chapter House by himself and his brethren. Concerning which he begged to obtain leave from him before he brought anything forward. Also he says that certain masses were there celebrated one for benefactors, another for founders and a third for the dead which are called the third fourth and fifth and are not duly observed. Also he says that Thomas Hereford customarily gives his breakfast to a certain Isabella May whom he has often forsworn. In other things he agrees with the prior and Walter

[1] *diffamatur*, a common word in visitation documents, the full significance of which has sometimes been missed. It refers not merely to the vague reports of common gossip but to very serious charges. This is dealt with more fully by Dr. Coulton in the second volume of his *Five Centuries of Religion.*

[2] *omnia continetur* [*sic*].

Bacster. He says that John Berewe has his own schedule in which more things are contained.

Richard Leyntwardine, sworn, etc., on the first article is unable to depose because he was not shorn at the time. Asked concerning the continence of the brethren he says that John Etone is defamed with Agnes, wife of John Barbour; also he sends food to the said woman to be given in alms, and because John Clone, then sub-prior, warned him not to do so, he threatened the same John Clone and caused him to withdraw through fear of death. Also he says that that which is served to those who are engaged in the Choir with divine service for breakfast and supper is too bad and too cheap. Also he says that in his office of Sacristan he has workers for repairing the vestments and houses and other things, he is not able to obtain food for them on account of the malice of the cook and the cellarer, *i.e.* John Suckeley. On the other articles he agrees with the prior, Suckeley and Bacster.

Walter Dale being sworn, etc., upon the first and second articles he is ignorant on account of his youth. Also he says that they begin the *Placebo* and *Dirige* for the dead by note and in like manner by note they sing the antiphons and psalms but they say in a low voice what seems to be hateful to them and absurd to the hearers.

John Hore, sworn, etc., on the first and second article he is ignorant on account of his youth. Asked concerning simony he says that he heard that the Abbot received an hundred pounds for the presentation to the vicar of Aymestrey. Asked concerning the observance of divine service he agrees with the prior. About other things he is doubtful on account of his youth.

Also the prior and John Suckeley say that during

the Seynes when the brethren go out for the purpose of recreation, they go out separately divided and dispersed and some return about the middle of the night.

[April 12th.] Visitation of the Reverend, etc., Thomas, etc., carried out in the Chapter House of the Monastery of St. James of Wigmore, on the 12th day of April, in the year of our Lord 1424.

John Bury, Abbot, examined, says that all the brethren are professed and established both in the tonsure of the house and in the sacred orders, and the priests excepting one are obedient to him. Also he says that Walter Bacster and John Suckeley absent themselves from the divine offices and from the celebration of masses. Also he says that they are in the habit of wandering off from place to place. Also he says that John Suckeley has one cup in his own possession. Also Walter Bacster obtained a letter of the lord Marches prohibiting the Abbot from removing him from office in contempt of the Order. Also he says that the same Bacster is unwilling to show him the books and vouchers belonging to his office.

John Trilley, prior, examined, says that John Etone absents himself from the divine offices and from the celebration of masses because he has not his habit supplied to him freely. Also he says that the hour of Nones is not said after breakfast as the Order demands. Also he says that John Hore has wandered off. Also he says that the open space in the cloister suffers decay, by reason of which the laity cross over it and use it as a common urinal. With regard to the other matters he refers to the details of the inquisition made by the lord's Commissary and put forth by him.

John Ludbrook, being examined says that the number of the brethren is too much diminished because formerly there were thirty now twelve. Also he says that the oil in the Infirmary is not renewed from year to year. In other things, namely the observance of divine service, he agrees with the prior and refers, etc., as above.

Richard Haleway, examined, says that they have a chapter-general but they have not held one for forty years, and the cause was because their Abbot is the preserver of the Order.

Thomas Hereford, examined, says that there are many dogs in the house harming the cloister, the church and the chapter-house. In other things etc. (as above).

Thomas Dale, examined, says that his breakfast is badly prepared in the kitchen by the officers. In other things he refers etc. (as above).

John Hugenes, examined, says that the woods are not properly kept. In other things (as above).

Walter Bacster, examined, says that he sought letters addressed to the lord Count of the Marches which he justified because the Abbot separated him from his office and laid upon him other unbearable things. Also he says that the said Abbot was elected before the death of his predecessor and by lots cast between the Abbot himself and a certain Thomas Astone, a canon and his fellow brother. Also he says that John Trylley was elected to the Abbacy by the convent, which election the lord Thomas upset. Also he says that the said Abbot gave to a certain Walter Plouden for his support in the election and to be had for the rest of his life twenty-six shillings and eight pence. In all other things etc.

John Etone, examined, says that the Abbey

suffers dilapidation. Also he says that the accounts of the offices are not returned as they ought.

John Suckeley, examined, says that in the last visitation he said some things for which the Abbot afterwards rebuked him. Also he says that there are many lodgings in the abbey. In other things he agrees with Bacster, etc.

John Hore says that the gates of the cloister are open night and day and dogs coming in defile the church, cloister, and chapter-house. Also the abbey and each manor belonging to the same is in ruins.

Walter Dale and Richard Leyntwardyn refer to, etc.

His lordship leaving everything in its present state adjourned his visitation until the morrow after the hour of prime. At the coming of which term, to wit, on the 13th day of April, my lord, sitting in the chapter-house as a tribunal, that is, lawfully proceeding in his adjourned visitation, asked of each of the brethren, beginning from the abbot and going on to the latest, which two of the brethren were capable [that is to say, he asked] the most indispensable [persons to be] stewards of the house, so that the charges of the monastery at home and abroad should be borne by the two aforesaid.[1]

John Bury, examined, indicates John Trylley and John Hugenes.

John Trylley, examined, indicates John Hugenes and Richard Leyntwardyn.

John Ludbrook, examined, indicates John Trylley and John Hugenes.

[1] I am indebted to Professor Hamilton Thompson for the translation of this unsatisfactory passage based on his own transcript. The printed register requires emendation since it has the impossible reading *per illos dominos supportanda* instead of the *per illos duos supportanda* of the original. The abrupt construction is due to the fact that the scribe wrote down his notes at the time of the visitation and then copied them into the register without alteration.

Richard Haleway, examined, indicates John Trylley and John Etone,

etc., etc., the remaining seven names follow with similar arrangement.

Then being called together in the Chapter-House the same reverend father asked the Abbot to reply to each article laid upon him and firstly that being excommunicated by authority of his lordship the Pope's collector, he celebrated divine service, he denied the offence by asserting that he celebrated no mass without having obtained absolution from the said sentence. As far as concerns his sentence his lordship deliberated and adjourned [the matter] until the morrow of the octave of St. John Baptist[1] next to come. Also his lordship asked why he held each one presented to any benefice as first bound to himself and the convent, to which he replied by saying and confessing that it was done as he says of old custom. Also he was questioned in detail concerning dilapidation, namely concerning the alienation of the tenement of a citizen of Hereford, and he confessed that he had given it up for ten marks, however he says that he was not able to do otherwise. Also he confessed concerning the alienation of the two vills which sir Walter Hewet bequeathed to the monastery. Also he confessed with regard to the negligence of the proprietary monks.[2]

Thomas Dale, accused of incontinence with Isabella Barbour and Isabella Boghe, appeared and purged himself canonically.

Thomas Hereford, accused because he sent foods to a certain Isabella May, appearing, confessed the crime, wherefore his lordship admonished him and

[1] June 24.

[2] *I.e.* monks with personal belongings, contrary to the strict injunctions of the Rule of St. Benedict.

ordered him not to do the same again under penalty of the law.

John Etone, defamed of incontinence with Agnes Barbour, is not able to appear.

Also his lordship deprived Walter Bacster of the office of chamberlain,[1] ordering him that on this side of the feast of Easter next to come he should make an inventory of all the goods of the house in three parts between the Abbot, the convent and John Trylley and John Hugenes, to which J. T. and J. H. his lordship committed the care and rule of the goods movable and immovable jointly, and that twice every year they should render an account to the Abbot and convent without delay, and once a year to the same reverend father, if it should be sought from them, to the carrying out and faithful observance of which the said J. T. and J. H. took the oath in person on the holy gospels of God.

Then his lordship adjourned his visitation until the day following in the state in which it then was, etc. Which time arriving, *i.e.* the 14th April the same reverend father sitting in the chapter-house and lawfully proceeding with his visitation made a certain inquiry about the election of the Abbot by examination of each of the brethren. Firstly J. Ludbrook, being sworn, etc., says that a certain election before his arrival was held through fear of him [*i.e.* the Abbot] and before the burial of the dead Abbot. Also afterwards in a second election he entered the Abbey, not summoned as he ought to have been, where he found masters Philip Grym and Thomas Grym, which made Philip put forth the form and business of election and master Thomas

[1] The chief duty of the chamberlain was the supply and maintenance of all the clothing, etc., of the monastery; cf. *Durham Account Rolls*, p. xxxv. foll.

protested against certain points in the method of election by scrutiny,[1] openly asking, before them all, from each canon Who had a voice by right? Then saying to each canon assisting: Make it known; What do you say? Who is fit to be Abbot? Who says John Bury, and so by omitting the seniors he asked some juniors and had the agreement of three or four juniors, and having questioned them, he said to all that if any was willing to agree with these, he should hold up his hand, then certain through fear, as this witness judges, held up their hands, but he himself never agreed with him.

R. Haleway, being sworn, etc., says concerning the first election they began to treat about a new abbot [2] and chose him before the burial of the dead one, etc., agreeing with his fellow witness.

T. Hereford, etc., says that six brethren were elected by the whole convent of which number the witness was one and then by lot between John Bury himself, who was chosen, and J. Trylley who also was chosen, lots were drawn and the lot fell upon J. Bury, etc.

J. Trylley, etc., says that before the burial of the dead abbot they began to treat concerning the election and some chose the witness, and some J. Bury, and because their voices were equal one received a straw saying: "Draw and upon whom [3] it will fall he it is." In the second election master P. Grym and T. Grym [disputed to what end],[4] however he was unable finally to depose, or rather he deposed obscurely.

[1] For this process, see *infra*.

[2] For an interesting account of the election of an abbot, *cf.* E. H. Pearce, *Walter de Wenlok* (S.P.C.K.), ch. i.

[3] *super quam* [*sic*].

[4] There is a lacuna here, and only the merest conjecture is possible; read, therefore, *disputabant, quatinus*, or words to that effect.

Thomas Dale, etc., says that before the burial of the dead abbot there was a convocation about the new election; then it did not come to any conclusion about the election; but when his instructions (*consilium*) came they chose certain from the convent who entered the chapel of the blessed Mary; and then they chose J. as abbot, which election was authorised.

Walter Bacster, etc., says that in the first election John Hodnet, Thomas Strete, Richard Holeway, John Trylley, and Thomas Hereford, being elected commissaries by the convent, entered the chapel of the blessed Mary and chose there J. Trylley, afterwards there entered J. Bury and Thomas Aston, who, *i.e.* T. Aston, says to the commissaries: "Are you agreed?" To whom they also answer "No." He says: "He is Abbot," pointing out J. Bury. Then said Thomas Strete in receiving a straw: "Let these draw lots," and so they drew lots and the lot fell upon J. Bury. Afterwards they made another election, the first not being yet annulled, publicly in the chapter-house, where there were master P. Grym and T. Grym, who sought from each one whom they wished to have, and some being sworn in person agreed to him who had been thus elected by lot, and so he agrees with J. Ludbrook. Also he says that J. Bury gave to a certain Walter Hoptone twenty shillings for the whole of his life for his friendship in carrying through the election. Also he says that the said Abbot after the sentence of major excommunication from the lord Pope's collector and before he had obtained absolution celebrated divine service and particularly on the day of the purification of the Blessed Mary he celebrated mass and other divine services with solemnity, etc.

J. Hugenes, etc., says that before the burial of

the dead Abbot, the lord Abbot was elected by five brethren of the convent, in what way he was elected he did not know, he says however that Thomas Aston was known to enter the said chapel at the time of the election. In other things he agrees with J. Ludbrook.

J. Etone, etc., deposes obscurely because he was young at the time, etc.

J. Suckeley, etc., agrees concerning the first election with W. Bacster and concerning the second he agrees with J. Ludbrok, etc.

5. Visitation of a Nunnery

[Reg. Pontissara (Cant. & York Soc.), p. 126, A.D. 1302.]

Visitation of the Abbess and convent of Romsey.—John, by the grace of God, etc., to our beloved daughters the Abbess and convent of Romsey. When we recently visited you and your monastery both in head and members as is enjoined by our office we found certain things there to be corrected, which we will and command to be reformed and for the future observed, under this form. In the first place when in the last visitation carried out there we decreed and ordered that an account should be rendered twice a year and at the end of each account the condition of the house should be declared by the auditors of that convent or at least by the more senior members from the convent, which in the present visitation we have found altogether lacking; we decree and order under penalty of excommunication that such account shall be rendered once every year and at the end of it the state of your house shall be declared before the whole convent in chapter. Also we decree and order under penalties aforesaid that the convent shall get up more quickly than is customary, and shall sing matins and then other hours at the appropriate times of the day, so that high mass shall always be celebrated before noon. Inhibiting all your chaplains under penalty of suspension that no one of them for the future shall presume to celebrate after noon, but he shall begin mass at such an hour that he shall be able to celebrate this side the hour of nones. Also we order and decree that in the reception and distribution of payments due to the convent two of the more capable and

discreet nuns may be added to the prioress with the consent of the larger and more sensible part of the whole convent on whose advice the aforesaid rents being received may be distributed amongst the ladies and also expended in the customary way. Also we order and decree in virtue of obedience and under penalty of excommunication that all due and accustomed pittances shall be distributed at due times for the future without any diminution as they are accustomed to be distributed amongst the ladies, and especially those which we found withheld, namely one of the six pennies due to each lady per annum on the feast of St. Martin and the rest of the six pennies which are similarly due to each lady at the time of bleeding. Also we command in virtue of obedience that the gates of the cloister and of the dormitory be more strictly and effectively guarded and closed for the future. Also since on account of the careless custody of the common seal whence many evils have hitherto happened to your house as we have by actual experience already learnt, and also are able to occur in the future unless some healthful remedy be applied, we command you in virtue of sacred obedience and under penalty of excommunication that for the custody of the said seal three at least of the more discreet ladies shall be deputed by you, Abbess, and the greater and more sensible part of the convent and when any letter is to be sealed with the said seal it shall be read and made clear publicly, distinctly and clearly in an intelligent tongue to all the ladies, and afterwards it shall be sealed in the same chapter not in a corner or secretly as hitherto it has been the custom to do, and when it has been sealed it shall again be read as before so that what concerns all shall be approved by all, which being done your aforesaid seal shall be

replaced there under the aforesaid custody. Also that provision may be made for your tranquillity we command in virtue of obedience that any staff that is useless, superfluous, quarrelsome, incontinent and demoralising to the ladies shall be removed within one month from the reception of these presents, and especially John Charke who is greatly defamed of evil and contemptuous speaking and answering the ladies back unless he correct himself in such a way that no further account comes to our ears concerning such quarrellings. Also we command under the aforesaid penalties that the good customs and courtesies hitherto observed between the ladies touching the pantry, buttery and bakehouse be not in any way withdrawn for the future, but from day to day they shall be the better observed as is fitting. Also we inhibit you all and singular in virtue of sacred obedience and under penalty of the greater excommunication that no one of you for the future shall eat or drink or in any way spend the night in the town of Romsey with any person secular or religious, and we inhibit you . . . Abbess, under the penalty of the greater excommunication from conceding a licence to any religious lady contrary to the foregoing. Also we inhibit you, lady Abbess . . . in virtue of obedience and under penalty of the greater excommunication that for the future you do not sell any corrody or grant any pensions with our counsel and assent unasked. Also under the same form we inhibit and forbid the power by these presents that you do not alienate by giving to farm in any way the unmoveable goods of your monastery and especially those nine acres of land with that meadow which recently came into your hands unless thereby the greater utility of your monastery be served and the express will and consent of the whole

convent be given as well. Also we will and command under the aforesaid penalties that all these things be read and recited in Chapter before the whole convent at least once a month until you will have carried out all the aforesaid according as it is expedient. Given at Wolvesey on the Wednesday next before the feast of St. Peter in Cathedra,[1] A.D. 1301.

[1] February 22.

6. Commission for the Release of a Nun

[Reg. Baldock (Cant. & York Soc.), p. 129, A.D. 1310.]

A Commission on behalf of Christiana de Burgo.—Ralph, etc., to our beloved son in Christ master William de Bray, our official, health, grace and benediction. We have already received the petition of our beloved daughter in Christ Christiana de Burgo, daughter of that noble man the lord Robert, son of Walter, deposing that since she, having entered the order of St. Augustine in the monastery of Halliwell, of our diocese, below the marriageable years by gift of her parents she has worn there for some time the habit of novices and still wears it at present, and yet nothing canonical prevents her from returning to the world freely by the unfettered action of her will, we may deign to grant a licence that she should freely return to the world and although in the said monastery for our own information we have caused diligent inquiry to be made concerning the truth of the foregoing, yet since we, impeded by many and arduous affairs, cannot at present personally attend any further to the aforesaid business, confiding fully in the industry of your circumspection, by these presents we appoint you our deputies in the same with canonical power of coercion, firmly injoining upon you that, after first having obtained full information concerning the foregoing and also the circumstances both of the law and of the fact, you will not delay to do full justice to the aforesaid applicant according to the form of her petition. Given at Harringay, 19 July, A.D. 1310.

7. A Visitation Postponed

[Reg. de Gandavo (Cant. & York Soc.), p. 102, A.D. 1302.]

To the same on behalf of the same.—We recently sent to you our letters in these words: Simon, etc., as next above. Because, since our proposal, new businesses have arisen and the day appointed beforehand has passed without result in this matter, carrying out as far as we can the duty of our office we renew the above mandate in full force by the tenor of these presents commanding your devotion that you will take care to have completely ready its form and effect so that on the second day next after the feast of the Purification of the blessed Virgin Mary all and singular may be prepared which we intrusted to you elsewhere in our letters below written, certifying us on the said day by your letters patent containing the details of these, what your community [*unitas*] has thought fit should be done. Farewell. Given at Poterne, 14th Feby., A.D. 1302, and in the second year of our consecration.

8. A Prior's Pension

[Reg. de Halton (Cant. & York Soc.), vol. i. p. 224, A.D. 1304.]

John, etc., bishop of Carlisle, to our beloved son in Christ, Dom Adam, Prior of our Cathedral Church of the blessed Mary of Carlisle, health, grace and benediction. The pastoral office strongly binds us to take careful thought to and also, as far as we can, provide for the tranquillity of those who, carrying incessantly from the beginning of their youthful age the yoke of sacred religious observance, having spurned earthly things, have laboured laudably in the vineyard of the lord, discreetly ruling their flock and the church committed to them. Moreover your long petition to us contained the request that since you now for almost forty years in the order of canons regular in the doctrine of the blessed Augustine [1] in that venerable body of the convent of our Cathedral Church of Carlisle, fulfilling during twenty years and more the office of prior amongst servants of the world and the hostile whirlwinds and storms of conflict,[2] burdened with so many and so great labours and broken with age, have become so weakened and powerless (as you assert) that you are not able in any way to sustain for the future such office of prior so laborious and insupportable to you, we will take

[1] Carlisle in the Middle Ages had the distinction of being the only cathedral in England to be served by a community of Augustinian canons, in contrast to Scotland which, with less than half the number of bishoprics, had two. Halton, previous to his election to the bishopric, was a canon there (*Reg. Halton*, Introd. by Professor Tout; cf. *Historical Essays*, ed. Tout and Tait, Essay III).

[2] This, of course, is a reference to border warfare. Professor Tout has pointed out that Carlisle was besieged more than once between November 1297 and September 1298, and that further degradations were experienced at the hands of the Welsh and Irish encamped around Carlisle (*Reg. Halton*, vol. i. pp. xxiv, xxv).

care to admit your retirement and mercifully to provide for you the necessaries of life according to the conditions and merits of your person out of the resources of the said Priory. Nevertheless although you have grown old and weak in various ways, the fervour of devotion and faith is not become tepid, and that you may be able the more quietly to have leisure for the contemplative life, as you desire, having considered also your petitions and the contents and state of the said Priory, the due and prosperous rule of which we desire with all our heart, and having weighed these things up and having held careful inquiry upon these matters with far-seeing deliberation, assenting to your prayers through the aforesaid causes we grant your withdrawal, altogether absolving you from the care and tie of that Priory to which hitherto you have been more steadfastly bound by Pontifical authority, and from the daily and minute claustral observances. Furthermore noting your conversation in such holy religion which has been laudable without exception from the time of your entry, and the other outstanding merits whereby you excel, and the labours immeasurable, and insupportable to you in these days, which by diligence under the yoke and by the aid of prayers you have spent upon the ruling of spirituals and temporals from the time of the said Priory being committed to you by which our aforesaid church of Carlisle is enriched, having estimated the resources of the said Priory, we ordain, concede, determine by our authority as ordinary, with the full and unanimous consent of our chapter of Carlisle, for your sustenance and that of those who serve you as long as you live, and similarly decree by this writing that you have and hold so long as you live the new room which you have made for yourself and those

ministering to you. Also you may have and receive each day for yourself and one brother canon of your order, dwelling with you by permission of the Prior of Carlisle, the corrodies[1] and free gifts of every kind in daily victuals from the commons for three canons according to the customs of the aforesaid Priory. For this since you have risen and sprung from great and noble persons of our diocese and so will be burdened by visits of your friends as usual we think it just and equal that you should be the more generously considered each year from the goods of the said Priory. On which account, as above, we decree and also ordain that you have with you one servant and one page serving you for whom there shall be duly provided in clothes and victuals the necessary things from the common fund according to the exigencies of their condition. Also we assign to you for ever by our aforesaid authority the tithes of the sheaves of Langwathby, in our diocese, which we know have been appropriated to the said Priory in your time for your uses and that of your acquaintances and friends coming to you, on account of the esteem of your state and order and for the clothes provided for your body, to be received each year to the amount of twenty marks: with this addition that as much more than twenty marks as the said tithe can be sold for at the proper season by the oversight of the said cellarer by you or the buyers of the same by the goodwill of the cellarer shall be paid yearly by the goodwill of the said Prior and convent. But if it should in any way happen to

[1] A corrody was the grant of food and lodging by a religious house as a kind of pension in return for payment. They were often sold by needy houses as a means of raising money, though the results were often unsatisfactory. The practice was disliked by the bishops and was undoubtedly bad for discipline. It was even more common in nunneries; *cf.* examples in *Linc. Vis., passim.*

you to go outside the boundaries of our monastery of Carlisle on account of the state of the weather or for the purpose of having recreation or for some other reasonable or honest cause, to any grange or manor of the aforesaid Priory or the houses of your friends within our diocese, we will decree and ordain that the Prior of Carlisle for the time being shall find under due obedience horses for you and your friends as often as there is need. In testimony of which matter our seal together with the seal of our chapter of Carlisle is appended to these presents. Given at Carlisle, 20th September, A.D. 1304.

9. Confirmation of an Election to a Religious House

[Reg. de Sudbury (Cant. & York Soc.), p. 109, A.D. 1369.]

On Aug. 18th, A.D. 1369, at Stepney, in his Lordship's chapel the Confirmation was made by the lord Simon, bishop of London, in these words :—

In the name of God Amen. Whereas we Simon by the grace of God bishop of London have heard and also understood the merits of the business of the election of you, brother John West, canon of the priory of Royston [1] of the Order of St. Augustine in our Diocese elected as prior of that priory recently carried out and sufficiently and solemnly examined and discussed in our presence both as to matter and form, and since we have found duly and canonically celebrated that election of you, brother John West, elected aforesaid, a man in every way prudent and discreet, skilled in the science of letters, justly to be commended in life, character and conversation, established in the order of priesthood and of legitimate age, born of legitimate matrimony and expressly professed there in the order and religion of St. Augustine and discreet in matters spiritual and temporal, having invoked the grace of the Holy Spirit and with the concurrence of all and singular who are required by law in this matter, we confirm the same precisely and exactly by our pontifical authority committing [2] fully to you the care and administration of the aforesaid priory in matters spiritual and temporal.

[1] The Augustinian priory of Royston in Hertfordshire was founded about the time of Henry II, but according to Dugdale the exact date is uncertain (*Monasticon* (1846), vi. 404–405). The founder was Eustace de Mere. It was suppressed in 1536.

[2] Reading *committentes* for *continentes*.

10. Royal Assent to the Election to a Religious House

[Reg. de Sudbury (Cant. & York Soc.), p. 109, A.D. 1369.]

Edward by the grace of God king of England and France and lord of Ireland, to the venerable father in Christ Simon by the same grace bishop of London, greeting. Know that to the election recently carried out in the conventual church of St. John of Colchester of brother Richard Colne, monk of that house, as Abbot of the place, we have affixed our royal assent and favour. And by the tenor of these presents we signify to you that you follow out your part in the matter. In testimony of which matter we have caused these our letters patent to be drawn up. Witness my hand at Westminster 17th October in the forty-third year of our rule of England and the thirtieth of our rule of France.

11. An Appropriation

[Reg. de Halton (Cant. & York Soc.), vol. i. p. 39, A.D. 1295.]

To all the sons of holy Mother Church who will see or hear the present writing, Adam, prior, and the convent of Carlisle, eternal health in the Lord. Know all of you that we have inspected word for word the letter of our venerable Father Lord Ralph, by the grace of God, bishop of Carlisle, neither altered, cancelled or rendered void in any part to this effect. To all the sons of holy Mother Church who shall hear or see the present letters Ralph, by divine pity bishop of Carlisle, eternal health in the Lord. The beloved sons in Christ the Abbot and convent of Valley Magdalene of Shap[1] of our diocese, have besought us in their humble petition that moved by paternal anxiety for the poverty of their house, we should deign by the instinct of charity ratifying the deeds of our predecessors themselves to confirm to them and their Abbey the parish church of Shap and the church of Bampton in Westmoreland, lawfully confirmed to them by our predecessors for their own uses for ever having gained the consent of the chapter of Carlisle. We therefore following in the footsteps of our ancestors, noting their religion and hospitality, and all other marks of the honour with which they are brilliantly adorned, having inspected also the charter of their patrons and the confirmation of our predecessors and the consent of the chapter of Carlisle and having been confirmed by the writing of the said

[1] This was a house of Premonstratensian canons founded by an abbot of Shap. The date is uncertain ; *cf.* Dugdale, *Monasticon*, vi. 868. It is elsewhere designated in the register as the convent of the blessed Mary Magdalene of Shap (*ibid.* i. 292).

chapter we have thought fit to agree favourably to their prayers. Whence we wholly concede to the said Abbot and Convent and their house aforesaid on behalf of ourselves and our successors for their own uses the aforesaid parish churches of Shap and Bampton with all rights and appurtenances thereof to be held in perpetuity and we confirm it by the fortification of this our present writing supplying as far as we can by our power as Diocesan any failure of concession in the confirmation of our predecessors, if there should be any, saving to us and to our successors the diocesan authority over the aforesaid churches. Having also regard for their poverty and by the affection of piety suffering with them, we concede on behalf of ourselves and our successors that it be lawful for them to serve in the aforesaid churches by two or three of their canons as they have been accustomed hitherto, of which one shall be presented to us and our successors as vicar who will be able to answer to us and our successors both concerning episcopal and spiritual matters while the other can make satisfaction concerning temporalities to them ; so that however in each church they may have our secular chaplain to hear confessions and do all other things which cannot honestly and expeditiously be done by the canons themselves. In testimony of which matter we have caused these letters to be fortified by the impression of our seal. Given at Rose, 2nd July, A.D. 1287, and in the eighth year of our Pontificate. We therefore deeming settled and granted the aforesaid concession, confirmation and ratification confirm by the tenor of these presents and fortify forever with the seal of our chapter. Given at Carlisle on the Wednesday next before the Feast of St. Lucie the Virgin [13th Dec.], A.D. 1287.

12. An Appropriation

[Reg. de Halton, bishop of Carlisle (Cant. & York Soc.), vol. ii. p. 177, A.D. 1318.]

To all the sons of Holy Mother Church to whom these present letters may come John by divine pity bishop of Carlisle eternal greeting in the Lord. Know all of you by the inspiration of charity and piety, having regard and consideration for the alms and the hospitable reception of paupers the support of which we know to be the daily duty of the religious men the Prior and convent of St. James of Warter of the diocese of York both in the place where they lived as in their church of Ascom of our diocese which they hold for their own uses at which men well known and strangers and the poor of many nations and places commonly come together, and for their other works of piety which they perform, and to compensate for the destruction, laying waste and devastation which they sustain and hitherto have sustained on account of the hostile invasion of the Scottish enemies of the kingdom of England and the depredations of others by which they are not a little impoverished or even destitute, directing the glance of your mind and the gaze of charity towards them for the relief of the foregoing and that they may be able the better to sustain the said work of charity we concede to the same religious men the prior and convent aforesaid and through them for their monastery, the church of Bartor, of our diocese, of their own patronage on the resignation or death of the rector of the same church for the time being or when that church falls vacant in any other way whatsoever to be held canonically for their own use

for all time : so that, the present rector of the same resigning or dying, or the church itself falling vacant in any other way whatsoever, it shall be permitted to the said religious by themselves or by their proctor to seize lawfully the same church and to enter on possession of it and to retain it for their own uses as above said, without asking for licence and consent of us and our successors or of any persons whatsoever; providing that a suitable portion for a perpetual vicar serving in the same church consisting of one-third part of the true value of the said church according to our valuation be assigned for supporting the ordinary burdens of that church from the land, meadow, property and revenues of that church with the half of the manor of the said church, with which portion, however, the Vicars for the time being shall be content : we specially reserve for ever the collation of that church when it will be vacant to us and to our successors the bishops to come as a recompense for the injuries to the rights of our church of Carlisle from this time onward : willing and ordaining that both the said Religious and the vicars for the time being shall recognise and support from their portions half the extraordinary burdens attaching to that church in proportion to their allowances ; but the said vicars will support as of old all the ordinary burdens whatsoever arising out of or touching that church at whatever times they may arise. In testimony of which matter we have caused these our letters patent, strengthened by the fortification of our seal, to be written to the said prior and convent. Given at York, 23rd November, in the year of grace 1318.

13. A Bishop Refuses an Appropriation

[Reg. Swinfield (Cant. & York. Soc.), p. 433, A.D. 1307.]

To the most excellent Prince, etc., Richard, etc. Whereas, since we have received the letter of your excellency concerning the granting of the appropriation of the parish church of Lindridge to which the cure of souls of many faithful poor and others belongs, to the religious men the lord Prior and the convent of the cathedral church of Worcester, we would mention to your excellency by letter that so great loss and danger of souls and so great inconveniences would follow undoubtedly from such appropriation, we, our conscience fighting against it, were not able to appropriate to them the said church especially since the rector of that church was alive and still is alive and because the Prior and convent aforesaid, thanks be to God, are not in such a condition [of poverty] that it could be lawfully done by the canonical sanctions, and being especially repugnant to the statute of Ottobon, of blessed memory, sometime Legate in England who under grave penalty forbade such appropriations being made to religious persons unless burdened with great poverty ; because for the aforesaid reasons and others which for a particular cause we cannot now mention, we are not able with a good conscience to make such appropriations, we humbly beseech the piety of your excellency that you will deem our powerlessness excused in this matter on account of our reverence for the most high God, if that which just now you commanded by writing concerning the appropriation of the aforesaid church is not done by the sender of these present letters. With all possible devotion we entreat God, etc. Given at Banbury, 6th March, 1306.

14. Benediction of an Abbot

[Reg. Charlton (Cantilupe Soc.), p. 21, A.D. 1332.]

At Cokkeshale, 5th September, 1332, his lordship blessed Richard de Turpyntone, abbot of Wigmore and on the same day gave orders for his installation in the following form:—Thomas, etc., to our brothers, Stephen, prior, and the sub-prior of the conventual church of Wigmore, greeting, etc. Whereas we have confirmed brother Richard of Turpyntone, being rightly and canonically elected by you and your convent, according to the demands of his merits, as abbot and pastor, we commit to you and command that you [should establish] the said brother Richard into the corporate possession, etc., and instal the same enjoining upon all and singular of the convent of the abbey abovesaid that they should endeavour to obey canonically in all things the aforesaid brother Richard as their abbot and prelate and that you will carry out and perform all other things in the foregoing and, further, those things which are necessary and opportune on our behalf, suppressing canonically if it be necessary gainsayers and rebellious people by ecclesiastical censure. Given at Cokkeshale, A.D. 1332, etc.

15. An Election by "Compromise"

[Reg. Pontissara (Cant. & York Soc.), vol. i. pp. 71–78, A.D. 1295.]

Note.—The whole of the process of this election as given in the register is too long to reproduce in full, but the essential and most interesting documents are given below. On May 30 a supplication was addressed to the bishop by the sub-prior and convent of St. Swithin owing to the loss of their prior, asking for licence to elect another in his place. This is followed by the bishop's permission to proceed to an election coupled with an exhortation to be careful to choose one who will be kindly, peaceful, humble, prudent, proved in the regular discipline, circumspect in matters both temporal and spiritual, and able to preside with dignity over their house. On June 6 the sub-prior and convent send one of their number to the bishop as their proctor, and on the same day they proceed by "way of compromise" to an election. This method was one of three, the alternative methods being by "scrutiny" or "inspiration." The method of election by "scrutiny" involved the appointment of three scrutators who collected privately and singly the votes of each member of the chapter, and then made public the result at the high altar of the convent church accompanied by a solemn *Te Deum*. In the case of election by "inspiration" it was simply a matter of unanimous assent to a name proclaimed by the prior or sub-prior. The method of procedure by "compromise" is explained by the documents given below. Cf. *Lincoln Visitations*, i. 124, 232; *Reg. Sudbury*, p. 153 foll. The right to elect was granted to the convent *c.* 1258 (Goodman, *Chartulary of Winchester Cathedral*, p. xlix).

A Compromise made by the monks written below to provide a prior for the aforesaid church.—Brother Nicholas de Merewelle, Sub-prior of the Cathedral church of St. Swithin, Wynton, and the convent of the same place, to his beloved brethren William de Hoo, Adam de Hyda, Roger de Entingham, Henry Bacun, Henry de Merewelle, Nicholas de

Tarente and William Wallop[1] our fellow monks, greeting in the Lord Jesus Christ. That you may make provision for us and our church, now destitute of the solace of a Prior owing to the death of our brother William de Basinges long Prior of the same, of a suitable Prior by canonical and agreed election by yourselves or other monks of our convent, according as you shall deem it expedient for us and our church of Wynton aforesaid in the sight of God we commit to you our authority up to the ninth hour of the present day. Promising to receive as Prior him whom you all will unanimously and in full agreement deem worthy to be chosen this very day up to the ninth hour. And unless within the aforesaid hour you all will have unanimously agreed upon a certain person from among yourselves or other monks of our convent we will that such compromise finish and become void from that time. So that from then the power of election shall revert freely to us the Sub-prior and Convent. And we shall be able freely to provide a Prior for our often spoken of church and ourselves, according as we may deem expedient for us and our church. In testimony of which matter, etc. Given in our Chapter, 6th June, A.D. 1295.

Election of the Compromissories.—In the name of God, Amen. I brother Roger of Entingham monk of the church of Wynton for myself and on behalf of and in the name of brother William de Hoo, Adam de Hyda, Henry Bacun, Nicholas de Tarente and William de Wallop my fellow compromissories to whom compromission was granted by brother Nicholas of Merewelle Sub-prior and the convent of our church of Wynton together with brother Henry

[1] The odd number which was usual in such cases is noteworthy; cf. *Reg. Gravesend*, p. 54, where the same number chose the abbot of Thornton.

de Merewelle our seventh compromissory according to the form of our compromission for providing the solace of a Prior for our destitute Church of Wynton, by the canonical election of a Prior and in the place and name of all and singular of the Convent to whom the present election belongs, choose as Prior of our Church the aforesaid brother Henry de Merewelle our fellow monk. This election was carried out on the Monday next before the feast of St. Barnabas the Apostle. Given in our chapter on the Monday aforesaid, A.D. 1295.

[Then follows the assent of Henry de Merewelle to his election, which is here omitted.]

The Decree.—In the name of the Lord. Amen. To all the faithful of Christ who shall examine these present letters brother Nicholas de Merewelle, Subprior and the convent of the Cathedral Church of Winchester, eternal greeting in the Lord. Our church of Winchester having already become destitute of a Prior by the death of that religious man brother William de Basinges sometime Prior of the same we being gathered in our chapter have undertaken to treat concerning the election of the future Prior, having first sought and obtained licence to elect from the venerable father our lord John by the grace of God bishop of Winchester. And determining upon a certain day for the election namely the Monday next before the feast of St. Barnabas the Apostle with the consent of our monks then present we have caused to be summoned for the same day our fellow monks then absent according as it has been laid down by canon from time to time. When that day came and all who ought were willing and could conveniently be present were gathered in our chapter-house, when the grace of the Holy Spirit had been invoked and the Constitution of the

General Council *Quia propter* had been read, with the common assent and unanimous good will we, in full agreement, compromised upon our seven fellow monks William de Ho and others as above giving to them special power for providing for our church destitute of the solace of a Prior, by the canonical election of a Prior from among themselves or other monks of the convent of our aforesaid church as is more fully contained in their compromission. These withdrawing apart as compromissories and keeping diligent treatment of the foregoing and God before their eyes agreed unanimously in electing as prior a prudent and honest man and circumspect in matters spiritual and temporal brother Henry de Merewelle our fellow monk. With which consent so obtained brother Roger de Entingham abovesaid in our place and name and in the place and name of brothers W. de Ho, Adam de la Hyde, Henry Bacon, N. de Tarente and W. de Wallop his fellow compromissories chose brother Henry de Merewell abovesaid as our prior after this manner. In the name of the Lord, Amen. I, brother Roger of Entingham, etc., as above in the third letter. Which election having been so made and published in common before us in our Chapter by the aforesaid brother Roger and the consent of the prior-elect having been obtained after various requests, we gave our consent and assent unanimously to the same election. And having sung the hymn Te Deum Laudamus and having offered prayer as is the custom in such [elections] we caused the same election to be solemnly published alike to clergy and people. And that faith might be kept more fully with this decree alike with unanimous will and assent we have caused the common seal of our Chapter to be affixed to this our present decree. Given as above.

16. A Bishop's Agreement with his Prior and Convent

[Reg. de Pontissara (Cant. & York Soc.), vol. ii. p. 434, A.D. 1284.]

An agreement made between the bishop of Winchester and the prior and convent of St. Swithun, Winchester.—To all the sons of holy mother church to whom the present writing shall come John by divine pity humble minister of the church of Winchester eternal greeting in the Lord. Amongst other things which are incumbent upon us arising out of our office and solicitude for the pastoral care which we have undertaken by the Lord's goodwill, we justly think that especially we should follow with paternal affection our church and beloved sons . . . the prior and convent of the same and to provide for their peace and quietness as much as we can, that the more freely and devotedly the Author of peace may be worshipped amongst them and they themselves be glorified by their exaltation in divine praise. Since therefore of old time desiring to cut off the matter of dissension concerning the election of the prior there and the creation of the obedientiaries and other ministers both regular and secular which was accustomed to be a seed plot of discord between our predecessors the bishops of Winchester and the priors and convent of our church, by which, being wearied with immense labours, since they frequently challenged one another to strifes and lawsuits, they were separated from fraternal charity and often burdened with immoderate expenses, the church herself continually wounded in every part; and walking in the footprints of Henry and William [1]

[1] Henry of Blois, November 17, 1129–August 9, 1171; William de Raley (Raleigh), consecrated bishop of Norwich September 25, 1239, and Winton, 1244–September 1, 1250 (Stubbs, *Reg. Sac. Angl.* pp. 44, 58).

our predecessors, who with pure affection and prudent intention are said to have conceded to the aforesaid convent the free election of their prior and the arrangement both of the regular obedientiaries and the servants and other secular officers; and what common right appears to give them; although certain of our predecessors had afterwards used this right for some time, we, for the cherishing of mutual charity between us and . . . our beloved sons the Prior and Convent aforesaid, having God alone before our eyes to whom we shall have to render an account of all our deeds, restore them to the said right by these presents. And we concede on behalf of ourselves and our successors for ever, namely that, as often as it shall happen that the Priorship itself shall be in any way vacant the convent or the chapter itself, having first sought from the bishop himself or his successors for the time being, as Patrons, leave to elect, which they are bound to concede to them for the future, shall have free election of their Prior, who being so elected and presented to the aforesaid bishop or his successors, and also canonically confirmed by him or by his successors, shall be permanent and shall have free administration or power of ordaining and arranging concerning the aforesaid Priory and all the goods, affairs and rights of the same by the advice of his convent, of receiving clerks flying from the world to the habit of a monk, and of removing or appointing obedientiaries and of ordaining and arranging their offices as may seem expedient, not at all requiring the consent of the bishop himself or his successors in the matter. They also who now hold for life offices or any other secular posts in the Priory itself within their house or outside, shall hold them on those terms for the future. After the death or resignation of them or any of them . . . the

Prior and Convent aforesaid shall freely ordain and dispose of the said offices and other secular posts, granting or withholding from others at their own discretion as may seem expedient, without any impediment from the aforesaid bishop and his successors, who shall in no wise intermeddle in these matters in the future. But when it happens that the office of the Prior itself becomes vacant, the Chapter itself shall have the custody of all the affairs and goods and rights of the same both within the house and outside, and they shall receive all the rents and fruits of the same during the vacancy to be turned to the use of the monastery without any impediment from the aforesaid bishop or his successors. Saving however to the same bishop and his successors the advowson or patronage of the said Priory, so that the same bishop and his successors shall keep there during any vacancy one officer in the name of the holder of the advowson or patronage who will remain without horse or servant, receiving from the convent itself the necessaries of life, such as a free servant, so long as the vacancy lasts. So that however he does not usurp for himself any administrative power over the goods of the said Priory within the house or outside ; saving also always to us and our successors canonical Visitation with those things which belong to a visitation and the ordinary jurisdiction, and the profession of such as should be professed. Saving also always to us and our successors the warrens and rights of chase on our lands and our fees and those of our men, and on the lands and fees of the aforesaid Prior and convent and their men, wheresoever and in whatsoever way we and our predecessors were accustomed to have them ; and saving always to us and our successors the services and customs which . . . the Prior of Winchester

and his predecessors and his men were accustomed to do touching any of their manors or holdings. And . . . the Prior and obedientiaries shall render to us and our successors the services and customs which they were accustomed to render to us or our predecessors. And if the obedientiaries are removed . . . the Prior of Winchester and his successors shall render on his own behalf and that of the aforesaid obedientiaries the aforesaid services and customs according as it may be discovered by an examination of them, or inquisition which the lord the king shall thereupon cause to be made. Done, etc., as in the great charter.

17. Resignation of an Abbot

[Reg. Swinfield (Cant. & York Soc.), p. 301, A.D. 1293.]

Resignation of the Abbot himself.—To the venerable father in Christ, Richard, etc., Adam, etc., Abbot of Wigmore. Since now being broken with age and fettered with poor health beyond recovery I shall not be sufficient any longer for the rule of the said Abbey committed to me, I resign by these presents in every way the dignity of the same, the care and rule and everything which in virtue of the same belong to me into the hands of your pure holiness, etc., humbly beseeching you that by the instinct of charity you will deign to free me from such dignity, etc. In witness of which, etc. Given in the aforesaid abbey of Wigmore on the Thursday next before the feast of St. Margaret,[1] A.D. 1293.

[1] July 20.

18. Delinquent Nuns

[Reg. de Gandavo (Cant. & York Soc.), p. 14, A.D. 1298.]

To the Rector of the church of Donyngton that he may enjoin a salutary penance upon the delinquent nuns of Shaftesbury.[1]—Simon by divine permission, etc., to the beloved son in Christ, Master Robert, Rector of the church of Donyngton, health, grace and benediction. Observing that the nuns of Shaftesbury who have recently incurred sentence of excommunication by stirring up a common scandal against the sisters of the monastery and learning from the tenor of your certificate that a great part of the convent have left rancour of mind to a few nuns and that all offer themselves humbly to us, being brought back to charity and unity, devoutly prepared to undergo penance, we signify to you that at present it displeases us not at all that according to the discretion given to you by God you enjoin a salutary penance upon the genuinely penitent and contrite for their errors in so far as they offend their consciences, reserving however for ourselves the right of imposing fines for these offences since we know that by this scandal is produced in public and our authority harmed. Greeting. Given at Chardstock, Nov. 29th, A.D. 1298.

[1] The nunnery of Shaftesbury is reputed to have been founded by King Alfred, *c.* 888, while others ascribe its foundation to Ethelbald (858–860), which, however, is unlikely (Dugdale, *Monasticon* (ed. 1846), ii. 471). The former, of course, is the accepted version. It must be numbered amongst the nunneries surrendered in 1537–40.

19. A Canon Regular sent for Punishment

[Reg. Baldock (Cant. & York Soc.), p. 72, A.D. 1308.]

Concerning a Religious sent outside for punishment. —Ralph, etc., to our beloved sons in Christ the Abbot and convent of St. Osyth, greeting, grace and benediction. Since we when visiting by our right as ordinary the Priory of King's Cross found that brother John de Waledene, canon of the said place, had committed many and great wrongs to the scandal of his religion on which account we have condemned the same by this decree to the penalty of imprisonment for three years with abstinence from food as set out below, we command you in virtue of obedience firmly enjoining that since the said brother John has been sent to you and your monastery you are to receive him kindly causing him to be strictly detained under a good and firm prison guard without loss of time giving him on each Wednesday and Friday of the week bread and water only for his victuals until you will have received other orders. For we have written to the prior of Royston that he would quickly send him to you, and for the time of his stay he will faithfully pay to you twelve pence every week for his support. And what you will do or deem it necessary to do in the foregoing you will take care to certify us this side of the month after the festival of Easter. Given at Berden, 7th April, A.D. 1308.

20. The Profession of a Prior

[Reg. Pecham (Cant. & York Soc.), p. 207, A.D. 1283.]

Profession of the Prior of the blessed Martin at Dover.—I, N., created prior in the church of the blessed Mary at Dover, by you, reverend father the lord N. archbishop of the holy church of Canterbury, primate of all England, do promise so long as I hold the rule of the said priory, to you and your successors canonically appointed, that I will show in all things due and canonical obedience and to no other inferior person. And for the future I will be faithful to you lord archbishop and to your successors; I will not be in any plan whereby you may lose life or limb or be seized with evil intent or whereby any other evil may be brought upon you or your clerks, and the advice which you may show to me personally or by letter or by messenger, I will not reveal to the loss of you or yours to any religious or secular person. I will be the vigilant and careful upholder of your rights, to defend and maintain them against all men both religious and secular. When summoned to you I will come unless I am prevented by any canonical impediment. Your messengers, whom I truly know to be such, in their going and returning I will treat honourably and in their need I will help them. Against your person, your rights or your liberties I will not make connivance or conspiracy with any religious or secular person. The liberties and rights of the church of Dover which I profess to be directly subject in temporal and spiritual matters to you and your successors and to no other, I will preserve whole, unhurt and unharmed as a careful

guardian and faithful protector, and so preserved I promise to defend them against all men both religious and secular with all my power, and I will recover things alienated as far as I can, so help me God and these holy Gospels. In testimony of which matter I place my seal on the present writing. Given, etc. Witnessed many faithful people.

21. A Married Conversus

[Reg. Winchelsey (Cant. & York Soc.), p. 193, A.D. 1297.]

The Citation of a brother conversus to answer concerning his wife whom he has left in the world.—Robert by divine permission, etc., to his beloved son . . . the abbot of the monastery of Langdon, of our diocese, health, grace and benediction. A woman Alice de Royston has complained to us that although John de Bacheford who a little time ago contracted matrimony with that woman and for a long time afterwards lived with her as his wife raising up offspring from her, you however, or your own people in your name not ignorant of the foregoing have caused the aforesaid John, as though he were a brother of yours, on your own authority and without the judgment of the church to be abducted by force, whom you are said to retain in your house as a brother. Since therefore it is not right for anyone on his own authority to deprive that woman in such manner of such possession without the authority of the church, we require and exhort your devotion in every way counselling you that by all means you will cause the said John, if you have opportunity for this, to appear personally in judgment before us on the next law day after the commemoration of All Souls wheresoever then, etc., we may be, to give answer to the aforesaid woman concerning the foregoing, and also to us by right of our office according to the demands of law and, concerning the speaking of truth, as the law demands to swear that he will do and receive further what is just. For we have thought fit to assign to the aforesaid woman the

same day and place for carrying out in these matters what the law demands. And you yourselves will be present on the same day and place if it appear that your affairs are involved, and on the same day and place you will take care to inform us concerning the foregoing. Given at Lambeth, 15th October, A.D. 1297.

22. A Bishop's Warning about Corrodies

[Reg. Pontissara (Cant. & York Soc.), p. 318, A.D. 1286.]

To the prior of Mottisfont that no corrody or livery be sold without consulting the bishop.—John [etc.] to our beloved sons in Christ . . . the prior of Mottisfont and convent of the same place, greeting etc. What great losses to religious houses have come from the indiscreet selling of liveries the experience of events now teaches and the constitutions of the fathers issued about this testify. Therefore desiring with paternal affection to provide for your indemnity we most strictly prohibit you, under penalty of excommunication which in these writings we bring against the prior and others having any administration in your college from presuming in any way to sell to any one or set up any livery or corrody without consulting us as you will remember we commanded you before in our visitation, knowing that in our next visitation which God willing we the more earnestly shall carry out we shall severely punish the transgressions of such our mandate not only by the penalty set out above into which they will *ipso facto* fall, but also by any other which it may deem good to us to issue. Given at Wolvesey.

23. Hospitality expected from Exempt Houses

[Reg. Pontissara (Cant. & York Soc.), vol. i. p. 267, A.D. 1298.]

Letter of the bishop to the abbot of Titchfield.[1]—John, by the grace of God, etc., to our beloved in Christ . . . the abbot of Titchfield and convent of that place, greeting [etc.]. Since by ancient custom . . . you and . . . your predecessors . . . have received the bishops of Winchester coming from across the sea and arriving at your house and, as is fitting, have provided them with rest amidst their labours, and since we, who when we have come from the Roman court to England have been honourably and sufficiently entertained by the exempt Religious in our diocese, even if they were not of our patronage, to whose house or convent we have come down, propose to come down for certain reasons to you and your house of Titchfield on that Sunday on which *Letare Jerusalem* [2] is sung, we command you to make provision for receiving us then on the said day and taking care of us, as is fitting, and you will take care to answer us about this by the bearer of the present letter. Given at Sutton on the Sunday next before the Annunciation of the blessed Virgin, A.D. 1298, the seventeenth year of our consecration.

[1] A Premonstratensian abbey, of white canons, following the Augustinian rule. They were exempt from all interference or supervision by their diocesan.

[2] The Sunday of mid-Lent.

24. Institution of a Prioress

[Rot. H. de Welles (Linc. Rec. Soc.), vol. iii. p. 107 (undated).]

[Stanford]—On the same day and at the same place and the same persons being present, A. de Boby, nun, presented by the nuns of St. Michael in Stanford to the priory of that house, with the consent of the abbot and convent of Peterborough, patrons, was admitted, and instituted prioress in the same house as the custom is receiving by means of a book from the hand of the lord bishop the care and administration both internal and external of the said priory and swearing while touching the holy Gospels canonical obedience to the lord bishop.

25. A Commission of Inquiry

[Reg. Spofford (Cantilupe Soc.), p. 39, A.D. 1423.]

Thomas, etc., to the beloved, etc., John Berewe, our commissary-general, etc., and John Vir, perpetual Vicar of the church of Leominster, etc. When on account of the absence of the shepherd, the flock often become insolent and is known to wander through the steep places of vice, and whatever the chief shepherd can find lacking of all that is useful lies to the charge of the shepherd. Hence it is that we regretfully recount as we have recently heard in the account given in the letter of the noble prince and lord, his lordship the Earl of March, how, on account of the insufficiency, bad dilapidation and improvident government of the rule of the prior and brethren of Chirbury,[1] of the Order of St. Augustine, of our diocese, the priory there of which the Earl himself is founder and patron by right of succession, has in many ways collapsed as much in spiritualities as in temporalities, as is asserted, so much so that unless an opportune remedy be swiftly applied by us it will probably be reduced to the shame and loss of irrevocable desolation. We therefore diligently incited by the urgent suggestions of so great a prince who is concerned in this matter, lest on account of our long absence or inaction we deserve to be accused about these matters before God and man, and since we have been quite unable up to the present to inquire personally into the foregoing charges being

[1] Chirbury Priory, situated within two miles of Montgomery (Salter, *Aug. Canons*, p. 272, note 9) in Shropshire, though originally reckoned in Montgomeryshire (*op. cit.* p. 278, note ii), was founded in the time of King Henry III by Robert de Boulers (Dugdale, *Monasticon* (ed. 1846), vi. 580).

prevented by serious causes, therefore confiding in your industry, knowledge and purity of conscience we commit to you by the tenor of these presents that summoning those who should be summoned you go down to the aforesaid Priory speedily with our authority to inquire in form of law concerning the truth of the heads of the charge brought or liable to be brought both as concerning the habits, merits or demerits of the life of the said Prior and also of the condition of the canons and all others of the said priory both in matters touching their persons as in any other matter, and besides to reform, correct and punish every excess, crime and defect, scandal and delinquency legitimately revealed and rightly proved in your said inquiry ; the removal or deposition of the said prior, if and in so far as his faults require it, being specially reserved for us. And whatsoever you will perform, etc. You will certify, etc. Given under our seal at Coventry on the 20th day of August in the year of our Lord 1423.

Suspension of the Prior [1]

In the name of God, Amen. We Thomas, etc., declare that sir Richard Brewster, pretended prior of Chirbury, being warned of the day and place and being summoned and too long awaited in order that he may reply to us about and concerning the dilapidation of the temporal goods and never appearing, is contumacious and in penalty of such his contumacy we suspend him from the administration of the temporalities of the said Priory. We commit the administration of these temporalities jointly to

[1] *Reg.* p. 47. April 11, 1424. This was after a period of six months, during which time the Investigations of the Commissaries appears to have revealed a state of affairs sufficiently serious as to demand the deposition of the prior.

Walter Hagur, Canon, and Philip Moore, Vicar of the parish church there, until our arrival at the said priory. These acts were done in the Chapter House of the Monastery of St. James of Wigmore on the 11th April 1424. Upon which sentence thus conveyed judicially in writing the suspension issued under the seal of the aforesaid lord to the Prior inhibiting him from thrusting himself into the said temporalities in whatever way, etc., and the commission for the administration of the same temporalities to Walter Hagur, Canon Regular [1] of the same house, and Philip Moore, Vicar, there, jointly, etc.

[1] This term was applied to those who followed a distinct Rule as opposed to canons secular, who served cathedral churches such as Hereford or York. The Augustinian canons were called after St. Augustine of Hippo, who established similar communities of clergy in Africa; they were also known as Austin or black canons from the colour of their cloaks. Their houses formed independent units and were subject to episcopal visitation. It is not known when they entered England, but it is commonly stated that they were first established at Colchester in the reign of Henry I; *cf.* E. L. Cutts, *Scenes and Characters of the Middle Ages*, p. 20. The maximum number of houses belonging to their Order in England was 218. The head of each house was a prior, except in some twenty-four cases, where the head was an abbot, and in such a special case as that of the priory of Barnwell, Cambridge, where the head was called the prelate (*prelatus*); *cf.* J. Willis Clark, *The Observances in Use at the Augustinian Priory of St. Giles and St. Andrew at Barnwell, Cambridgeshire*, pp. xxxvi, 37–49. This book also contains a copy of the Rule of St. Augustine.

26. A Consecration of Nuns

[Reg. Myllyng (Cantilupe Soc.), p. 71, A.D. 1481.]

Also at the above same place,[1] day and year mentioned above, Thomas, etc., by the imposition of sacred hands, consecrated with the support of the divine offices two virgin nuns, one namely Isabella Gardener of the house of religion of the Order of the blessed Augustine, of Aconbury, and the other Juliana Barbour, of the house of religion of Limbrook of the same order.[2]

[1] In the chapel of the bishop's manor of Whitborne.

[2] Both these houses were Augustinian nunneries situated in the city of Hereford. Aconbury was founded in 1265 by the wife of William de Lacy, while the date of the foundation of Limbrook is uncertain, though it was founded before the Taxation of Pope Nicholas IV in 1291, for it is there valued at £8 8*s*. 8*d* (Dugdale, *Monasticon*, vi. 489). There appears to have been a quarry there whence stone was obtained for the fabric of the cathedral ; if so, the nunnery must presumably have been some distance outside (Capes, *Charters, etc.* p. 164).

27. Wandering Monks

[Reg. Winchelsey (Cant. & York Soc.), p. 259, A.D. 1298.]

For the purpose of ascertaining the names of the monks of Ely who are wandering about.—Robert, etc., to our beloved son . . . our official in the diocese of Ely, the see being vacant, health, grace and benediction. We have already discovered that certain monks of the church of Ely through disagreement over the election held there, not having obtained the licence of their prior but rather despising the discipline of obedience far too frequently absent themselves, and are wickedly wandering about through various lands at the expense of the monastery itself not so much to its peril as its disgrace to the offence of religion and the scandal of very many. Wherefore we command you firmly enjoining that inquiring secretly with all diligence concerning the characters and names of the rebellious monks thus wandering about you will send us their names as quickly as you can. Given at Charing, 16 June, in the year, etc., of our consecration, etc.

INTRODUCTION TO SECTION II. THE MEDIEVAL BISHOP

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THE MEDIEVAL BISHOP

The administration of a medieval diocese nominally centred then as now in the bishop, but the work of episcopal supervision was rendered distinctly more difficult by inherited customs and the circumstances of the time. In the first place, the bishop was not only a distinguished official of the Church, but a great landowner and a magnate of the realm. Very likely he owed his elevation to the episcopate in return for certain services rendered to the king, and in consequence was always liable to be summoned to conduct some delicate negotiation abroad, or be present at Court to advise the king on some urgent matter of national importance. Such interruptions were inevitable, and could not usually be avoided except on the plea of ill-health, which we occasionally find advanced in episcopal registers as an excuse for disobedience to a royal command or parliamentary summons.[1] More serious, because more prolonged, were the absences of those bishops who, like the famous Roger of Salisbury, occupied some important administrative position in the State. Not every bishop, of course, was in demand for the performance of such secular duties. Some of them were able to spend practically the whole of their time in the performance of their episcopal functions or in carrying out other tasks of importance to the welfare of the Church. Bishop Swinfield, who ruled the diocese of Hereford from 1283 to 1317, belonged to this class, while one of his successors, Bishop Gilbert (1375–89), who was successively Chancellor of Ireland and Treasurer of England,[2] spent a very considerable portion of his time away from his diocese.

There were, however, other factors which impeded the medieval bishop in the effective performance of his duties. Perhaps the most obvious and important of these were the difficulties of travel and the immense size of the medieval diocese. The one accentuated the other. A diocese such

[1] Bishop Swinfield frequently advanced this plea. See *infra*.

[2] *Reg. Gilbert*, p. ii. A good account of his various activities is given by Dr. Workman in his *Wyclif*, i. 220–222.

as that of Lincoln, which extended from the Humber to the Thames, would have taxed the energy and resources of even a modern bishop equipped with all the facilities of present-day travel. In the Middle Ages it was a hopeless task for a bishop to attempt to supervise so vast and unwieldy an area, though there is plenty of evidence that most of the bishops did their best to grapple with the difficulty. The records of their perambulations testify at least to their anxiety to reduce to a minimum the inherent problems of the situation. Fortunately, the peculiar conditions of a medieval diocese, largely dictated by economic necessity, assisted somewhat in the solution of this particular problem. Every see was endowed with a number of manors, of which the manor-house formed the administrative centre. In it resided the bailiff, who was responsible for the management of the whole estate. The produce of these manors formed a very large part of the bishop's income, and, since he had to maintain a considerable household, their successful management was a matter of importance. The larger and more important of these manor-houses, where the bishop was accustomed to make regular visits, were equipped with a chapel, hall, stables, and other buildings for the proper accommodation of his retinue. To each of these manor-houses the bishop would proceed [1] in the course of his diocesan duties, and since he maintained a considerable household it was a matter of necessity that he should not remain too long at any one of them, as supplies were liable to be quickly exhausted. Instead, therefore, of summoning supplies from distant manors, it was simpler to visit the various manors and consume the fruits of husbandry on the spot. By such means not only was the problem of supplies conveniently solved, but the method was almost essential for the proper administration of the diocese. Some of these official residences were extremely large, of which Hartlebury Castle in the diocese of Worcester and Farnham Castle in the diocese of Winchester are famous examples, and their upkeep and repair must have formed no small item in the episcopal accounts.

In very early times every bishop was surrounded by his "familia," or household, which chiefly consisted of a number

[1] A district that possessed no episcopal residence would naturally see less of its bishop; cf. *Reg. Gravesend*, p. xvi.

of secular clergy in training, who were received at an early age and lived either in the bishop's house or in separate residences. From these, when senior priests, originated the officials of the great churches or cathedrals, known in later centuries as the chancellor, precentor, treasurer, etc.[1] They also served to form in a limited degree the nucleus of the bishop's staff, which in course of time formed an indispensable element in all diocesan work. Every bishop had an official residence near his cathedral, but circumstances often rendered it advisable for him not to reside there too often. If the cathedral were ruled by a dean and chapter, it was a matter of some importance not to infringe in any way their jealously guarded rights and privileges. If, on the other hand, the foundation were monastic, the bishop[2] had still to deal with a corporation intensely anxious to preserve its independence from any possible episcopal encroachments. All through the Middle Ages it was a matter of difficulty for a bishop to establish his right to "visit" his cathedral chapter, and in some cases, as at Hereford, it was never conceded down to the sixteenth century.[3] In cases where the cathedral was also the abbey of a convent the bishop was the titular abbot, and, providing there was no bad feeling between them, the difficulties of visitation appear not to have been so great. Nothing seems to be lacking in cordiality when Bishop Goldwell was received at Norwich on Friday, October 5, 1492, with the prior and the whole chapter in solemn procession, "with the standard of the holy cross carried high in the air before them with the ringing of bells," and much else. A spirit of goodwill generally prevailed at Worcester.[4]

Even though the chapter insisted upon their rights, this did not, however, prevent a bishop from making use of the ability to be found amongst its members. From among the cathedral dignitaries he would choose some of the most important of his officials. Bishop Cantilupe of Hereford

[1] Cf. *Essays in Medieval History*, No. 1, by Miss Deansley; or, more briefly, her *History of the Medieval Church*.

[2] Such were usually referred to as "Religious Bishops"; *cf.* the Lichfield *Magnum Registrum Album*, ed. Savage (Salt Soc.), No. 454.

[3] For a good example of the kind of objections raised against an episcopal visitation for a secular chapter *cf.* Bishop Gray's visitation of Lincoln Cathedral in 1432 (*Linc. Vis.* i. 128 foll.). For the steady refusal of the dean and chapter of Hereford, see Capes, *Hereford Charters*, p. xxiv.

[4] Cf. *Worcester Liber Albus*, Nos. 141, 1198, 1199.

numbered several of the cathedral staff amongst his household. All his three "official principals" occupied one or other of the four great offices of the cathedral.[1] Archbishop Gray, of York, usually had one or more of the chapter of York with him, as well as at least one from the minsters of Beverley, Ripon, and Southwell.[2] Thus, even though they sometimes travelled with him, it would be useful for the bishop to have a residence near the cathedral staff for occasional consultation and advice. Yet he always had to be mindful of the chapter's privileges, which generally rendered a long residence undesirable. Sometimes the bishop could not leave his palace without trespassing upon territory not under his control, when, even if he were excessively circumspect himself, his household might in some way infringe the privileges of the chapter.[3] Apart from these, a bishop's household comprised a number of other officials of various degrees of importance, including his clerks, who were thoroughly conversant with the routine work of the diocese.[4] These must have been men of some administrative capacity, and are usually dignified with the title of "Magister"—indicative that they were graduates of a university, unlike the vast majority of parish priests.[5] They received their reward in the form of benefices, the non-residence involved causing no surprise in an age when a rector was regarded as the owner of his church and his responsibility as ceasing when he had made proper provision for the discharge of the duties of the living. More important than these lesser officials were the archdeacons, who were responsible for many administrative duties,[6] notably in connexion with the necessary inquiries concerning the vacancy of a living or the right of presentation, and of placing the presentee into "corporal possession of the same." The medieval archdeacon did not always bear a very enviable reputation. His legal functions demanded a knowledge of canon law, for which residence abroad, usually at Orleans or Bologna,

[1] *Reg. Cantilupe*, p. lxix.

[2] *Reg. Gray* (Surtees Soc.), p. xxiv.

[3] *Cf.* A. Hamilton Thompson, *The Cathedral Churches of England*, p. 165.

[4] E. H. Pearce, *Thomas de Cobham* (S.P.C.K.), p. 41 foll.

[5] *Cf.* Dr. Salter's note, *Rot. H. de Welles*, vol. i. p. xvii; and Deansley, *Lollard Bible*, pp. 160, 161.

[6] For a bishop's strictures on an archdeacon's neglect, see No. 16, p. 155 below.

was regarded as a necessity. These academic centres were notoriously corrupt, and they had a correspondingly corrupting influence upon those who studied there.[1] Furthermore, archdeacons were generally regarded as using their courts for the extortion of money from their unfortunate suitors, and these courts, dealing as they did with the conduct of the laity, were immensely unpopular.

The archdeacon and the clerks do not exhaust the list of officials whose services were indispensable to the bishop. Assisting him from time to time in the performance of his strictly episcopal functions were bishops-suffragan, sometimes with extraordinary titles and, judging from a letter preserved at Worcester, occasionally of frank and engaging manners![2] Then there were the vicars-general—or, at least, one—who were appointed by the bishop to represent him in the diocese when he had to leave it for a time, as Bishop Halton of Carlisle did when he attended the council of Vienna in 1311.[3] Finally, there were the registrar, the seneschal or steward, and, in each manor, the bailiff; very often, too, there were proctors both at the court of Rome[4] and in local courts at home, besides the bishop's more personal attendants, his chamberlain and valet.

All these, of course, would not be resident with the bishop at any one time, but the list gives some idea of the size of his household, especially if a number of ordinary servants and attendants be included. The problem alone of feeding such a number must have been no light one, although, as we have seen, it was somewhat simplified by the peripatetic customs of the time. The frequent movement from one manor to another, however, had advantages which must not be ignored. Each manor formed a convenient centre for the work of the bishop in that particular part of the diocese. This would apply particularly to the important duties of confirmation and ordination. In days when travelling was difficult and slow, and sometimes dangerous, it was much more convenient for candidates to come to the nearest manor than to make an arduous journey to the cathedral city. The actual services would take place, on

[1] Capes, *The History of the English Church in the Fourteenth and Fifteenth Centuries*, pp. 240, 241.

[2] *Worcester Liber Albus*, No. 513. The whole letter should be read.

[3] *Reg. Halton*, p. xxxv; and *cf.* No. 19, p. 158 below.

[4] For examples of such expenses, cf. *Reg. Hethe*, pp. 58, 59.

account of the numbers involved, in the nearest parish church, though in some cases the chapel of the manor would suffice. Bishop Trillek of Hereford ordained a number of candidates for several orders in the parish church of Whitbourne on April 1, 1346. For some reason or other, there were two more candidates for priest's orders by April 15, and these were duly ordained in the chapel of Whitbourne manor.[1] The registers contain many lists of ordinations, but there are practically no references to confirmation. There would be no need, apart from the immense labour involved, in making a record of the names of those confirmed, and the registers are not personal records of a bishop's movements. It is obvious from the occasional nature of a bishop's visit to a particular locality, and his frequent inability to cover his vast diocese with any degree of completeness, that confirmation must have been administered with a good deal of casualness all through the Middle Ages. The early age of the candidates normally precluded any proper preparation, unless it was deferred for various reasons until maturer years ;[2] and if other bishops adopted the custom of Bishop Cantilupe of Hereford, who when riding about his diocese usually wore some of his canonicals so as to be ready to confirm whenever children might be brought to him, then in many cases the whole ceremony must have been haphazard in the extreme.[3]

A bishop's manor would witness much diocesan activity apart from occasional ordinations. For the time being practically the whole of the work of the diocese would be transacted there. This would involve the presence of all kinds of persons, both lay and ecclesiastical, who would add to the strain on the bishop's hospitality. One or two cases will effectively illustrate the nature of the business usually transacted and the numbers involved. When Bishop Gravesend, who ruled the great diocese of Lincoln from 1258 to 1279, was staying at Buckden, his favourite winter

[1] *Reg.* pp. 444, 445. For other examples, cf. *Reg. Hethe*, p. 116; *Reg. Halton*, ii. 217.

[2] The normal age was from three to five years old, but obviously it might be several years before the bishop would be in a particular locality, and in the case of bishops holding important positions in the State, there might be no opportunity at all.

[3] It was noted as a mark of piety in St. Hugh of Lincoln by his biographer Adam, sub-prior of Eynsham, that he always refused to confer so great a sacrament on horseback.

residence, the collation was carried out of Master William de la Pomery, professor of canon law, to the vicarage of Hockliffe, a village in Bedfordshire near the Watling Street, and once famous for its robberies.[1] This was carried out "immediately after Matins," said, of course, in the chapel of the manor, in the bishop's hall over against the door of his "camera," and was witnessed by two canons of Lincoln, a chaplain, and four clerks.[2] This was not, of course, a matter of great importance, but transactions of greater import often required a larger number of witnesses. In the following June the same bishop was staying at the Augustinian abbey of St. Mary, Missenden, where he appears to have had a "camera" allotted to him for his use, with a chapel annexed. There on June 21, in the chapel, which was dedicated to St. Edward, Margery de Eston, sub-prioress of Goring, who had been elected abbess of the convent of Burnham [3] with the consent of the king of the Romans, took the oath of canonical obedience to the bishop. This was an occasion of some importance and must have been a somewhat impressive ceremony, for there were present to witness it Master Richard de Mepham, archdeacon of Oxford, a canon of Lincoln, a certain Adam de Belestede, the prior and one of the canons of Missenden Abbey, the bishop's chaplain as well as the archdeacon's, two clerks, "sister Eularia," prioress of Goring, "sister Celestria," and others. These also witnessed the bishop's orders regarding the vicarage of Burnham given on the same day.[4] The same number had witnessed a similar proceeding in the chapel of the bishop's manor of Sleaford in A.D. 1264, when his lordship appointed Alexander de Brockele, one of the monks of the abbey of Eynsham, to be the abbot. The witnesses on that occasion were the Master of the Order of Sempringham and one of the brethren, the archdeacon of Oxford, a canon of Lincoln, the prior, cellarer and sacristan of Eynsham, a priest, a clerk and two others.[5] Similarly, when the bishop provided a prior for the alien priory of Tickford by Newport Pagnell, which became in time dependent upon the Benedictine abbey of Marmoutier,[6] there were present as witnesses

[1] *English Place-Name Society*, iii. 126–127.
[2] *Reg.* p. 193.
[3] She resigned in 1274 (*Reg.* p. 251).
[4] *Reg.* p. 241.
[5] *Reg.* p. 217, and *cf.* p. xxxi. He was abbot from 1264 to 1268; *cf.* Dr. Salter's useful note in *Eynsham Cartulary*, i. xxii.
[6] *Linc. Vis.* (*Bp. Gray*), p. 246.

no less than five canons of Lincoln, besides others.[1] These examples from one register alone give some idea of the activities taking place at a manor where the bishop was in residence, and the number of people concerned.

The occupation of the episcopal manors provided, as we have seen, suitable centres for diocesan work and administration, but to reach them must have involved long and often extremely fatiguing journeys, especially in winter. Yet even these would be made subordinate by an energetic bishop to diocesan business. Very often the road from one manor to another would lead near to a religious house, in which case a suitable opportunity would be presented for "visiting" such convent not to be lightly disregarded. Sometimes, no doubt, the visit would not be disciplinary, but of a purely friendly kind. Of course, he would be welcomed by the abbot and convent and fittingly entertained; yet if his retinue was large the expenses involved in his entertainment would form no small item in the annual accounts. In cases where the convent was already in debt—and there were many such in every period of the Middle Ages—his arrival would be viewed with mingled feelings, though there was always, of course, the possibility, not to be forgotten, of an appropriation in the near future as a reward for generosity. If the bishop's visit was an official one, even if performed by deputy, he had the right to enjoy a reasonable amount of hospitality, which was known as "procurations," and often proved a severe tax on the resources of the church or convent visited.[2] This would particularly apply to visitations by archbishops, whose household might assume very considerable proportions. Archbishop Peckham established the right of visiting Malvern priory for two days and nights with twenty horses.[3] Some idea of the seriousness of such procurations may be gathered from the regulations laid down by the Lateran Council of 1179, which restricted an archbishop's retinue [4] to fifty and a bishop's to thirty men and horses.

[1] *Reg.* p. 246. Sometimes a rectory appears to have been used for episcopal business; *cf.* "in the hall (*aula*) of the rector of the church of Stebenhethe" (*op. cit.* p. 259).

[2] Naturally these were disputed where possible; *cf.*, e.g., *Reg. Mayhew*, pp. 19–34—a dispute lasting three years.

[3] *Epist. Pecham* (Rolls Series), vol. ii. p. lxxviii.

[4] *Cf.* the description of Peter of Blois, archdeacon of Bath, quoted by Selden, *Ad Fletam*, ed. Ogg, pp. 136–137.

Most, if not all, of the diocesan bishops had a place of residence in London which was generally known as their inn. This applies also to the abbots of the more important monasteries. In Bride Lane not only the bishop of St. David's but also the abbots of Tewkesbury and Faversham had their inns. The bishop of Salisbury had a fine house and grounds in Fleet Street, where on one memorable occasion the mayor with his brethren visited the king and there presented him with "a pair of gilt basons" and "a pair of large gilt pottes" which the recorder with becoming modesty described as a "litell and powre gifte," at the same time expressing the hope that a "Bettir" would be forthcoming next time.[1] At the end of Chancery Lane there stood the inn of the bishop of Ely, which was rebuilt in the fifteenth century and let to the Serjeants-at-law. It must have been of fine proportions, for it was sufficiently large to accommodate, on the occasion of the "Sargeauntes ffeste," the king, queen, and "all the chyef lordes of England."[2] The south side of the Strand was composed almost entirely of episcopal inns, but the bishops of London and Hereford were the only bishops who had residences actually within the walls of London.[3] These houses in most cases could not have been frequently occupied by their owners, so that the bishop of Salisbury in letting his house to the serjeants was probably following a fairly common custom. Some bishops would naturally visit the capital more frequently than others. Proximity to London would be, particularly in those days of slow and troublesome travel, a determining factor. The records of most bishops' movements are not complete, so that it is difficult to be certain how often they used their London houses. Bishops Grosseteste and Gravesend of Lincoln generally appeared in London once a year, and Bishop Pontissara of Winchester was naturally often at his London inn at Southwark; but it is hardly surprising that Bishop Halton of Carlisle does not appear to have faced the formidable journey south for nearly eight years.[4] Many would no doubt use their inns

[1] *Chronicles of London* (*Vitellius A XVI*), ed. Kingsford, pp. 224–225; *cf.* Stow's *Survey of London* for a further account of episcopal inns.

[2] *Cf.* Kingsford, *Chronicles, etc.* p. 208.

[3] Kingsford, *Prejudice and Promise in Fifteenth-Century England* (Ford Lectures), p. 138.

[4] *I.e.* from June 5, 1294, to July 14, 1302 (*Reg. Halton*, ii. 238 f.). The above details are based on the bishops' itineraries.

as useful stopping-places on the way to the Continent, as well as to Canterbury and other places south of London ; but not every bishop had the time or the excuse for foreign travel, which in those days was usually dictated by the necessity of the king's business, or the exigencies of a visit to Rome. In the later Middle Ages, when the standard of clerical duty in all grades appreciably declined, the tendency to leave the dull routine of diocesan life for the attractions of the city increased, and we find many cases of prolonged episcopal visits to the capital.[1]

Every bishop of necessity had to keep some kind of record of his activities ; hence arose the rolls or registers which the present work is designed to illustrate. These have not all been preserved and none of them are earlier than the beginning of the thirteenth century. The earliest registers to be preserved are those of Bishop Hugh de Welles of Lincoln (1209-35),[2] and Archbishop Walter Gray of York (1215–55).[3] Most other registers are dated after 1250. The primary need for a register of some kind arose out of the necessity for keeping an accurate record of ordinations and institutions to benefices. The absence of the former would facilitate the activities of unauthorised persons claiming clerical privileges or immunities to which they were not entitled. In the latter case a dispute as to the right of patronage could only in most cases be satisfactorily settled by an appeal to written evidence. Later the advantage of a permanent record of other episcopal acts and documents became manifest, so that subsequent registers usually contain a varied collection of documents ranging from the solemn visitation of a religious house to the excommunication of poachers. It seems probable that few, if any, registers were kept by bishops before 1200. The first entries of the rolls of Bishop Hugh are undated, though presumably in chronological order, which seem to indicate that the bishop's registrar was lacking in experience, especially as he appears

[1] Canon Goodman, in his *Chartulary of Winchester Cathedral*, points out that " the houses of the bishops of Winchester were conveniently situated for journeys between London and the south-western parts of his diocese " (pp. xli, xlii).

[2] The Lincoln registers were written on rolls (*rotuli*) down to A.D. 1290, as well as the register of Archbishop Gray ; the remainder are in books, not always with contemporary covers. For a complete list of published episcopal registers, *cf.* R. C. Fowler's *Episcopal Registers* (S.P.C.K.).

[3] Published by the Surtees Society.

to have found it necessary to group his entries under the year of the bishop's occupation of the see. This method was followed by the registrar of Bishop Grosseteste, but in the case of the register of his successor the entries are individually dated in addition. The registers, however, followed no fixed plan, and it is difficult sometimes to account for the inclusion or omission of particular types of documents. Often, no doubt, there was a fear lest a particular transaction might become a precedent, in which case documentary evidence would be useful. A good deal must have depended upon the registrar; but, beyond indication of activity, the registers do not give many clues to the character or personality of the bishops whose acts they record. The frequent fulminations of excommunication against all kinds of offenders, potential or actual, should not convey any ideas of exceptional harshness in the character of the bishop who issues them, for such threats, usually cast in a more or less common form, were a normal part of the disciplinary procedure of the medieval Church. It is not often that any particular type of document likely to be indicative of personal characteristics predominates in a register, though it may be a legitimate inference from the excessive number of legal references in the register of Bishop Cantilupe of Hereford that the episcopal temperament in this case was somewhat litigious. Yet, if the registers give few indications of a personal nature, they often contain documents which throw considerable light on current affairs, whether national or international. The register of Bishop Halton of Carlisle,[1] who was appointed collector for Scotland of the tenth demanded by the " new taxation " of Great Britain ordered by Pope Nicholas IV, contains many documents of importance in connexion with this event. The register of Bishop Pontissara of Winchester reveals an exceptional number of papal bulls and many useful references to contemporary affairs; while the register of Bishop Trefnant of Hereford is largely occupied with the extended trials of two Lollards whose importance cannot be gauged from the vast space allotted to them. Thus, in spite of the elimination of the personal element, some registers are marked by distinctive features quite apart from the ordinary type of document to be found in almost all of them. In many cases these are

[1] *Cf.* the Introduction by Professor Tout.

of quite peculiar interest and include many aspects of medieval life. Some of the documents which follow provide specimens which may satisfy the curiosity of those interested. No part of a bishop's register is of more importance than the records of institutions to benefices. These not only supply the names of successive rectors or vicars, but they often give much valuable information about the patronage, the sources of the income and sometimes the extent of the pension payable out of it. In the case of appropriated benefices, they often stipulate the portions of the income to be annually set aside for the proper maintenance of the vicar. Such records were of the utmost value to the bishop, for it was a matter of the greatest importance for him to have some accurate information to which appeal could be made with confidence owing to the differences which occasionally arose between rival patrons.[1] In other ways also such records would prove useful, as in the case which occurred in 1349, when Bishop Trillek of Hereford was requested by Edward III to inform him as to the date of the collation of the late Thomas de Astley to the prebend of Ewithington. The bishop replied that the collation took place at March on April 25, 1324, but "at what time or on what day he obtained possession of the said prebend is not contained" in the register of his predecessor, Bishop Orleton.[2] It is noticeable that laymen as well as bishops and religious houses frequently held the advowsons of benefices, and often did not hesitate to appoint their own kinsmen or supporters to the cure of souls. The modern tendency to concentrate an increasing number of advowsons in the gift of a diocesan bishop receives no countenance from medieval practice; yet the need must have been felt more by the medieval bishop who had to look to such sources for rewarding his faithful clerks and often had great difficulties in doing so. Bishop de Cobham of Worcester had much trouble to reward Richard de Chigewell in that way.[3] Such customs, of course, involved non-residence, but that was an accepted medieval practice and invoked no protest. It was permitted by the best as by the worst of bishops. Substantial

[1] For a good example of this, *cf.* the catena of references in *Reg. Spofford*, p. 122.

[2] *Reg. Trillek*, pp. 324, 325. The record of the collation is in *Reg. Orleton*, p. 388; *cf.* pp. 326, 383.

[3] Pearce, *Walter de Cobham* (S.P.C.K.), pp. 54, 55.

rectories were universally regarded as sources of income for zealous servants of Church and State or as rewards for duties faithfully performed. So long as the benefice was adequately cared for by a competent vicar all was well.

The medieval benefice derived its income from a variety of sources. Situated in an essentially agricultural community, the main sources came naturally from the products of husbandry. The ancient idea of the sacredness of a tenth part of all produce and the duty of paying it to the Church was solemnly maintained and regularly enforced by the ecclesiastical authorities. From the earliest times the Church of England had drawn her income from the products of the land. This was due to the conditions under which the parochial system grew up. Churches were originally built by the owner of the estate on which they were erected. In a sense the idea was not new, for in ancient times the lord often had his own pagan priest and temple at which he and his family and dependents worshipped. The Christian priest very largely stepped into his place. When in Domesday Book we find a layman described as possessing a church it indicates possession not only of the site, but of all tithes, dues, and offerings owing to it.[1] The holder of the benefice was the lord's nominee, and the bishop was only consulted when he required ordaining. The priest farmed his own land and lived a life very similar to that of his flock, and down to the Norman Conquest was often married.[2] The church was his freehold and remained so for centuries. Naturally the standard of clerical efficiency cannot have been very high, and adequate episcopal supervision must have been almost impossible in the vast medieval dioceses with all the difficulties of travel. Yet in course of time matters in this respect improved, and the bishops' registers show the amount of trouble taken by the bishops or their officials to ensure the maintenance of a reasonable standard of learning and conduct.

[1] *Cf.* Professor F. M. Stenton's valuable Introduction to *The Lincoln Domesday and the Lindsey Survey*, ed. C. W. Foster and T. Longley (L.R.S.), pp. xxi, xxii.

[2] And, according to Dr. J. Raine, long afterwards so far as the north of England was concerned ; *cf.* Introduction, *Reg. Gray* (Surtees Soc.), pp. xxvii–xxix.

SECTION II. DOCUMENTS ADMINISTRATIVE AND PAROCHIAL

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1. (*a*) Institutions to Benefices

1. [Rot. Grosseteste (Linc. Rec. Soc.), p. 6, A.D. 1235.]

Ashby-de-la-Launde.—Robert de Wym, chaplain, presented by brother R. de Staunford, master of the Knights Templars in England, to the vicarage of the church of Ashby-de-la-Launde, has been canonically instituted into it as perpetual vicar; saving to the house of the Knights Templars the due and ancient pensions of the same. And the Archdeacon is ordered to induct him into the real possession of that church[1] under the burden and obligation of vicars. And the said vicarage is as defined on the roll of vicarages.

2. [Rot. Grosseteste (Linc. Rec. Soc.), p. 41, A.D. 1239.]

Sixhills.—Walter of Howton, deacon, presented by the prior and convent of Sixhills[2] to the vicarage of the church of Sixhills [etc.], has been canonically instituted into it as perpetual vicar, with the burden and obligation of vicars. And the Archdeacon is ordered to induct him into the real possession of that church.[1] And the bishop delivered the aforesaid vicarage to him, and he accepted it on the understanding that if for the future he is found of evil

[1] These phrases are represented in the register by *Mandatum, etc.*, being common form.

[2] The priory of Sixhills, or Sixle, was a Gilbertine house (*cf.* Introduction to the section on Religious Houses). The church of Sixle, which existed at the time of Domesday (*The Lincolnshire Domesday, etc.*, ed. Foster (Linc. Rec. Soc.), xix. 43), formed part of the original foundation of the priory and was granted by its founder, "William, son of Hacon," in a charter which Professor Stenton has dated *c.* 1150 (*Transcripts of Charters, etc.* (Linc. Rec. Soc.), xviii. 1).

character, convicted or confessed, he resigns the same, or if he does not learn to such an extent that on being examined a second time he is found too little proficient in letters he shall be deprived of the said vicarage.

3. [Rot. Grosseteste (Linc. Rec. Soc.), p. 50, A.D. 1241.]

Wyham.—Robert de Wyhun, subdeacon, presented by the Master of the Order of Sempringham, and the prior and convent of Ormsby, to the church of Wyham, etc., by J. Official, etc., and having received letters from the lord the king stating that William, son of Ralph of Wyham, had admitted before the justices itinerant at Nottingham that the advowson of the aforesaid church belonged by right to the aforesaid prior and his church of Ormsby, by, etc., he is canonically instituted rector into it. And the Archdeacon is enjoined, etc. He ought to have a master and to be examined at the end of each year.

4. [Rot. Grosseteste (Linc. Rec. Soc.), p. 444, A.D. 1235.]

Taynton.—Master Hervey, presented by the prior of Deerhurst to the church of Taynton, etc., canonically instituted into it as parson, on condition that he will present to the bishop a suitable vicar who will serve the church since he is a Frenchman and does not know the English language.

5. [Rot. Grosseteste (Linc. Rec. Soc.), p. 232, A.D. 1248.]

Stanford (?).—Geoffrey de Weston, chaplain, presented by Peter de Weston, knight, to the church of Weston near Stanford, etc., canonically instituted into it as rector, saving to Robert de Syberton, chaplain, presented to the said church before him, and not being admitted on account of insufficient

education, twenty shillings a year, which the bishop with the consent of the said patron and rector has charitably conferred upon him as a benefice without cure of souls, to be received at the hands of the said rector and his successors to be paid twice a year, namely, on the feast of St. Michael, ten shillings, and at Easter, ten shillings, so long as he shall live as a secular and conduct himself properly, and shall not have received any other ecclesiastical benefice. And the Archdeacon is ordered, etc.

6. [Rot. H. de Welles (Linc. Rec. Soc.), vol. i. p. 148, A.D. 1219.]

Oxon, Kirtlington.—Jordan, chaplain,[1] presented by the Abbot and convent of Aunay to the vicarage of Kirtlington, since, by inquisition made by Ralph, clerk, Official of the Archdeacon of Oxford, the business has been expedited, has been admitted to the same and canonically instituted into it as perpetual vicar, with the obligation of serving personally in the same as priest. Which vicarage consists in the whole alterage of that church and in a rent of thirty-three shillings and four pence which the men holding the land of that church annually pay to the church and thirty bundles of hay [2] which the said church is accustomed to receive annually from the lord R. de Aumeri at Blechingdon which is worth annually fifteen shillings. But since the above said Jordan, chaplain, has been defamed concerning a certain woman dwelling in the vill of Kirtlington, he has been admitted to the said vicarage on this condition [*forma*] that if in the future on account of

[1] *Cappellanus*, to be used in the sense of priest; *cf.* Dr. Salter's note on p. xvii.

[2] *travis bladi*, a thrave or thraff was about an armful, but later varied from twelve to twenty-four sheaves, according to the county; cf. *Durham Account Rolls* (Surtees Soc.), iii. 977.

this woman or any other he should be noted as incontinent, the lord bishop will deprive him of his aforesaid vicarage. And the aforesaid Ralph, clerk, is ordered to induct the said Jordan into the corporal possession of the vicarage above mentioned according to the foregoing condition ; and if he learns that he is living incontinently, he shall signify this to the bishop.

7. [Rot. H. de Welles (Linc. Rec. Soc.), vol. i. p. 78, undated.]

On the Friday [*feria sexta*] next after the octave of Easter William de Welle presented by his letters William de Well, his chaplain, to the chapel of Well then vacant, as it is said, and Gilbert, his clerk, to the church of Hellow. And the official of Lincoln is ordered that before the inquiry is made he shall find out how the same William conducts himself towards his wife. On the same day Matilda de Welle presented Simon, her clerk, to the church of Withern, vacant. The official is thereupon ordered to make inquiry.

[Rot. H. de Welles (Linc. Rec. Soc.), vol. ii. p. 150, A.D. 1229.]

Irchester.—Hugh de Welles, subdeacon, presented by the prior and convent of Lenton to the church of Irchester, after inquiry had been made by R. Archdeacon of Northampton, and letters received from the lord the king containing that when an assize of last presentation [1] to the church of Irchester had been held by his command before David de Eisseby, Robert de Salceto, Richard Gubuin, and John de Ulecote, between the prior of Lenton and Amauric

[1] *assissa ultime presentationis*. This, of course, is the assize of darrein presentment, by which, in a case of disputed presentation to a benefice, the last presenter presents again "without prejudice" to any future decision ; *cf*. Pollock and Maitland, *History of English Law*, i. 148.

Nowers, the same Amauric admitted seisin of the advowson of that church to the aforesaid Prior and conceded that the said Prior should present to the same church, by which, etc., he was admitted to the same, etc. And the Archdeacon is ordered, etc.; saving to the said patrons the due and ancient pension from the same. The letters of presentation are at Lafford.[1]

[1] *I.e.* Sleaford.

4. [Rotuli Hugonis de Welles (Linc. Rec. Soc.), vol. ii. p. 192, A.D. 1221.]

Rothwell.—To all, etc. Know all of you that on the presentation of the Abbot and convent of Cirencester [1] we have admitted the beloved son in Christ William de Powell, chaplain, to the perpetual vicarage of the church of Rothwell ordained with their consent and have canonically instituted him into it as perpetual vicar. And the said vicarage shall consist of the whole alterage [2] of the church and of the two chapels belonging to it, *i.e.* the chapel of the Holy Mary in the same vill and the chapel of Overtone, with the exception of the whole tithe of wool and half the tithe of lambs, whenever there shall be sufficient lambs in number for a tenth lamb to be taken. But if on account of the shortage of lambs it is necessary to redeem the tithe in money, that money may go to the use of the Vicar. Also the same Vicar shall have the house by the church which belonged to Roger Marchand, and he shall provide hospitality for the Archdeacon, and sustain all other due and accustomed burdens of the said church and of the chapels belonging to it ; saving in everything, etc. [Here follows a list of witnesses, including the Archdeacons of Huntingdon and Oxford.] Given by the hand of Thomas de Fiskerton, chaplain, canon of Lincoln, at Liddington on August 2nd, in the twelfth year of our pontificate.[3]

[1] The important and wealthy abbey of Cirencester belonged to the Augustinian canons. Its head was a mitred abbot with the right to sit in parliament, and, according to the *Valor Ecclesiasticus*, it was the third most wealthy abbey in Gloucestershire, ranking after St. Peter's, Gloucester, and Tewkesbury.

[2] Alterage (*alteragium, altelagium*), offerings made at the altar of a church.

[3] With the spread of monasticism the custom quickly arose of granting or "appropriating" benefices to religious houses by which they were

5. [Rotuli Gravesend (Linc. Rec. Soc.), p. 3, A.D. 1260.]

Appointment of Peter de Hocton, chaplain, to the Vicarage of Hacham, Brother Robert being the Patron by delegation from his Abbot, *i.e.* of St. Sever in the diocese of Coutances.

The Vicarage consists of arable land with meadow belonging to the said church, of all the offerings, of tithes of wool, lambs, flax, hemp, curtilages,[1] milk, calves, chickens, pigs, hens, eggs, in alterage bread, in the allotment and adequate erection of a suitable farm for the Vicarage and of fifty shillings each year at the hands of the prior and monks of Hacham twice a year to be paid to the Vicar for the time being, *i.e.* in the Octave of St. Michael,[2] twenty-five shillings and in the octave of Easter twenty-five shillings. But the said monks will be free from the presentation of tithes in respect of their demesne and meadows and their mill and fodder, but they will sustain all the ordinary and extraordinary burdens resting upon the said church.

6. [p. 39, A.D. 1270.]

Kingerby.—Appointment of William de Fodringey, chaplain. Patron: Elsham priory. The Vicarage consists of all the alterage and all the tithe of corn and one bovate [3] of land with appurtenances, excepting

enabled to appropriate the income in return for being responsible for the due performance of the services. In addition, the appropriators had to maintain the chancel in good repair, the parishioners always being responsible for the nave. The custom, however, led to many abuses and much neglect, with the result that the bishops began to ordain vicarages and to insist on a certain minimum for the support of the vicar, the deputy of the rector. One consequence of this was that the vicar ceased to be removable at the will of the rector. The subject is dealt with at greater length in the Introduction to the section dealing with Religious Houses. For a note on tithes, see Additional Note K.

[1] A curtilage was the garden or plot of land attached to a house.

[2] September 29.

[3] A bovate was the eighth part of a hide and normally consisted of fifteen acres ; *cf.* Vinogradoff, *Villainage in England*, pp. 238–242.

the meadow belonging to the same, and of ten shillings to be received annually at the Feast of St. Michael from the said prior and convent. But the Vicar shall have the eastern part of the church house from the gable (*gabula*) of the solar [1] with the hall and other offices situated on that side, and the said religious shall have the western part of the same house with the granges and the other houses there. But the said Vicar shall have free entry and exit to his court by the great gate situated in that part of the church house assigned to the said religious. And the aforesaid religious shall provide books and ornaments and shall repair the chancel when necessary and pay all the Archidiaconal fees except synod pence [2] which the Vicar shall pay.

7. [Rot. H. de Welles (Linc. Rec. Soc.), vol. i. p. 221, A.D. 1224.]

The Vicarage of Nettleham. The granting of a benefice by an order of his lordship made in the presence of his clerks.—Warin de Kyrketon, chaplain, on whom the lord bishop has conferred the vicarage of the church of Nettleham, is admitted to the same and instituted vicar therein with the burden and obligation of vicars. The Vicarage consists in the whole alterage and all the lesser tithes of the whole parish and in the tithes of sheaves and hay from xxiv bovates of land in the same vill, namely from four bovates of land belonging to Alice de Solario, from four bovates of land which belonged to Ralph son of Hulf, from four bovates of land which

[1] The medieval manor house and many parsonages consisted of a central hall with a kitchen, etc., at one end and two rooms at the other end, the upper of which was the solar, usually set apart in the former for the exclusive use of the lady of the house ; *cf.* Cutts, *Parish Priests and their People*, pp. 148–158.

[2] This was a sum of two shillings payable to the bishop by every person summoned to a synod (Neilson, *Customary Rents* (" Oxford Studies in Social and Legal History "), p. 197).

belonged to Letie, from two bovates belonging to etc. . . .[1] A certain area is assigned to him on the eastern side of the whole length of the church house which contains in breadth three perches and in length as much as goes down the whole side of that court to the curtilage, and there ought to be erected there a certain wall between the curtilage of the dean and his own so that the dean should find two parts of the cost of that wall and the Vicar a third. Also a part of the principal house of the church is assigned to him towards the west with the whole lesser grange so as to be included by a wall drawn in a straight line from the west end of the dean's grange to the said vicar's grange. And the archdeacon of Stowe is ordered etc. Afterwards by special mandate of his lordship the vicarage was changed into a rectory.

[1] Similar amounts and other names are omitted.

2. A Citation to Incontinent Clerks

[Reg. Spofford (Cantilupe Soc.), p. 35. A.D. 1423.]

Thomas, etc., to John Berewe and William Stowe, notaries public, etc. Borne by public rumour there has come to our ears a lamentable and far too scandalous insinuation that certain clerks of our diocese beneficed and unbeneficed who have been infected by the crime of incontinence publicly and wickedly are keeping for love suspected women in their houses wherefore they incur most wickedly by the deed itself sentences of suspension and excommunication shown by the sacred canons provided for the purpose. We, indeed, who are not able by right of our office in accordance with justice to pass over with closed eyes so great a habit of offending without great danger to our conscience, and lest such heinous sin should be left unpunished and that the punishment of such might be an example to others, command you forthwith that all such delinquents the names of which are written on the back of these present orders be cited by our authority as ordinary, etc., to appear before us or our commissioners in this matter to answer and further to receive what is just. Given on the last day of December, in the year of our Lord written above.

3. The Induction of a Bishop

[Reg. Spofford (Cantilupe Soc.), p. 37, A.D. 1423.]

Commission for the induction of his lordship into the actual possession of the cathedral church of Hereford. —To the venerable man the dean of the cathedral church of Hereford and the precentor of the same, Henry Penworth, canon of Wells, adequately and legally appointed proctor for that venerable man William Chichele, archdeacon of Canterbury, occupied in foreign parts outside the kingdom of England, grace, etc. I commit full power in the Lord by authority of the said archdeacon for the induction of the reverend father in Christ and lord, Thomas, etc., into the real possession of the said church and to instal him, etc., saving always the rights and customs and also the dignity of his lordship, the archdeacon and his archdeaconry. In testimony of which since I have not my own seal I have asked that the seal of the most reverend father in Christ and lord Henry, etc., archbishop, etc., be appended to these presents; and we Henry aforesaid on the application of the said proctor, etc., have caused [these] to be fortified by the placing upon them of our seal. Given as to the sealing of these presents in my manor of Lambeth, 4th July, A.D. 1423.

4. Sentence of Deprivation for Non-Residence[1]

[Reg. Myllyng (Cantilupe Soc.), pp. 100–101, A.D. 1486.]

Sentence of deprivation of the Rector of Stockton.—On the last day of the month of April in the year of our Lord aforesaid in the parish church of Lindridge by the reverend, etc., Thomas, etc., in the triennial Visitation personally carried out there, sir John Manuse, Rector of the church of Stockton, was warned a first, second and third time and peremptorily to reside in his aforesaid church within thirty days from then next following,[1] under penalty of deprivation, and lest he should do otherwise in the matter, he was cited peremptorily to appear before the said reverend father or his deputy or commissary in this matter in the parish church of Whitburne on the 7th day, *i.e.* June 5th, after the lapse of the said days to show or allege the cause if he has such why he ought not to be removed from his said church. When the day had arrived, *i.e.* the fifteenth day of the said month, as the said John, being duly warned, did not appear in the said church, the same lord adjourned the matter in the state in which it then was until the Thursday, *i.e.* 8th day of the said month on which day his lordship gave authority to Master Thomas, etc., to proceed in the said cause according to the usual form as far as and up to the final despatch of the same. Which commissary therefore brought the sentence of dismissal as follows: In the name of God, Amen. We,

[1] Non-residence was one of the most persistent evils of the Middle Ages and a matter of concern to every conscientious bishop. There are many references to it in the later registers.

Thomas Mortone, bachelor of both laws, to the reverend, etc., Thomas, etc., Commissary specially appointed for the business written below, having heard, seen and considered the merits of the same cause or business of deprivation which has been laid before us for some considerable time, and is now so laid against and upon sir John Manuse, Rector of the parish church of Stockton, proceeding legally by right of our office alone. Whereas on account of the acts, negligences proved and demonstrated in the said cause before us we have found that the said sir John through us has been and is rightly and legally warned, cited and summoned by legal and public decree of citation with due interval of days with the proper and legal time under penalty of law applied to this case, to reside in his said church and that the aforesaid sir John does not obey and has not obeyed such our warnings and summonses and further has contemptuously neglected the cure of the said parish church, and wanders and has wandered about and, further, unduly withdraws and has withdrawn from the said cure, and neither does he allege nor has he alleged any cause why we should not proceed or should not have proceeded to the deprivation of sir John by reason of the foregoing; and that the said sir John having this day and place for hearing the sentence of such his deprivation, and having been summoned on the occasion aforesaid in the form before mentioned is deemed by us to have absented himself and to be absenting himself contumaciously: the name of Christ having first been invoked and the witnesses questioned and examined diligently by us as though viewed from on high, proceeding legally by right of our office alone, and on the advice of our assessors skilled in the law, we have deemed that the said sir John Manuse, the rector aforesaid, should be

absolved and deprived by this our final sentence from any cure and rule of the said church and of the parishioners of the same together with all that appertains to them by reason of the foregoing, and we do absolve and deprive him, and we pronounce that the said sir John should be put out, deprived and removed from the same care and rule and by the authority of the said reverend father we decree, pronounce and declare finally and conclusively by these writings that he is so put out, deprived and removed.

5. Admittance of a Notary

[Reg. Myllyng (Cantilupe Soc.), p. 60, January 2, 1481.]

On the second day of the month of January, in the year of our Lord 1480, in our house at Rotherhithe near London, in the indiction [om.] in the tenth year of the most sacred pontiff, etc., Sixtus IV, by divine providence, Pope, the reverend father in Christ admitted Sir Ralph Hauyes, priest, to the office of a notary,[1] an oath of fidelity having first been sworn, as is manifestly shown in our bull of delegation, Master Robert Simkins, Doctor of Degrees, and William Spekinton being there present.

[1] Episcopal registers reveal a variety of ways in which a notary is described, sometimes as by "apostolic authority" (*Reg. Orleton*, p. 92) and sometimes by "apostolic and imperial authority" (e.g. *Reg. Gilbert*, p. 62). A notary proper was "strictly an ecclesiastical scribe and in minor orders" (Professor Jenkins, *Ecclesiastical Records* (S.P.C.K.), p. 19). There is an interesting monument to a notary in Ellesmere parish church, Shropshire. According to the recently issued *Chartulary of Winchester Cathedral*, ed. Goodman, candidates for the office were carefully examined and took an oath "to exercise their office in truth and loyalty to Holy Roman Church and the Holy Empire" (No. 527). They were invested with quill, ink and parchment in true medieval fashion. Professor Tout points out that "the great notaries of the fourteenth century were primarily diplomatists engaged on diplomatic missions and on drafting treaties in 'public form'" (*Essays in History presented to R. L. Poole*, ed. H. W. C. Davis, Essay IV, p. 76, note 1). Their importance was not so great in England as in some other parts of Europe, notably Italy, where attestation of documents by notaries took the place of sealing. Even after the thirteenth century, when the system first appeared in England, they were not much employed "save in the drawing up of certain restricted types of diplomatic documents" and "private contracts of international character" demanding acceptance where seals were less well known (Tout, *Chapters in Medieval Administrative History*, i. 123).

6. A Licence for a Marriage without Banns

[Reg. Myllyng (Cantilupe Soc.), p. 59, June 16, 1480.]

Dispensation for the non-publication of banns.—Thomas, etc., to William Bruer, perpetual vicar of the parish church of St. Peter, of the city of Hereford, greeting, etc. At the solemnization of matrimony publicly between Thomas Monington of the parish of Sarnesfield and Joan Stocton, of the parish of St. Peter, of our city of Hereford, who desired to be joined together in matrimony, as it is said, no previous publication of banns concerning the contracting of such marriage having been made beforehand except one single announcement at the time of the solemnization of the said matrimony, if nothing else canonical in the matter stands in the way, provided that you will have been suitably asked by the aforesaid parties, we have conceded to you by the tenor of these presents the faculty and we give a dispensation to you and the said parties to the contract and all others whatsoever who are involved in the solemnization of matrimony aforesaid in so far as we can by right, lest too much prejudice arise in the parish churches of the said Thomas and Joan. Given at Whitbourne under our seal *ad causas* on the 16th June in the year of our Lord above mentioned.

7. Excommunication of Anti-Clerical Offenders

[Reg. Trillek (Cantilupe Soc.), p. 84, September 5, 1346.]

John, etc., to our beloved son, our dean of Burford, greeting, etc. On behalf of sir William de Wassheburne, priest, we have been informed in a serious complaint that certain sons of iniquity, forgetful of their salvation whose names and persons are alike unknown, on a recent day, *i.e.* the next Sabbath after the Feast of the beheading of St. John Baptist last past, about the time of vespers with arms in their hands, unmindful of the fear of God, and utterly throwing aside reverence for the church, and with devilish instinct and in sacrilegious effrontery they insulted and rashly laid violent hands upon him knowing him to be a priest and well known to be in possession of the order of priesthood, in a manner not permitted by the law and most grievously beat and maltreated him, and not content with such troubles, having threatened him with the fear of death following him as he took flight most swiftly with all kinds of arms, they caused him to flee to the church of Stanford, of our diocese, and having set him in that church like a felon, when he was not one caught in any crime, they kept him [there] all night and the next day, a Sunday, following, by no means allowing him to go out (until the king's ministers on the said Sunday coming to the church for the purpose and removing then the armed guard, provided for the said priest free egress and a safe conduct) to the grave peril of their souls, the enormous infringement of ecclesiastical liberty and not a little hurt and loss

to the said priest, there is no doubt that all and singular with all the authors, supporters and accomplices who gave them counsel, help or favour open or secret for carrying out so great a crime, have by the very act damnably incurred sentence of major excommunication in canonical form. Wherefore we commit to you and order you enjoining you firmly in virtue of obedience that in every church in your deanery on each Lord's day and Festival, in the solemnizing of the mass at which the greater part of the people are present, with beating of bells, burning and extinguishing of candles and cross erect, you solemnly and publicly denounce and similarly cause to be denounced by others, that all and singular the aforesaid most wicked malefactors with all the authors, supporters, etc., have incurred the said sentence of excommunication, and not ceasing from such denunciation until the said malefactors, returning to the bosom of holy mother church, have obtained the benefit of absolution in legal form ; seeking nevertheless their names, concerning which when you come to a decision, you shall cite or cause them to be cited peremptorily to appear before you, etc. And what you have done, etc. Given at Bosebury, the fifth day of September, A.D. 1346.

8. A Licence to Choose a Confessor

[Reg. Spofford (Cantilupe Soc.), p. 174, A.D. 1434.]

Licence conceded to Walter Corbet and Margaret his wife for choosing for themselves a confessor.—Thomas, etc., to our well beloved, etc., Walter Corbet, Esquire, and Margaret, his wife, greeting, etc. We have especially conceded to you licence and faculty in the Lord to choose one able and fit priest, either a religious or secular, for the comfort and quietness of your souls as a confessor who, having diligently heard the confession of your sins, unless they are such that the apostolic seat ought justly to be consulted, will pronounce over you the benefit of absolution in ecclesiastical form and enjoin upon you a salutary penance. In which, etc. Given in our manor of Whitbourne, 24 May, A.D. 1424, etc.

9. Licence to Penitentiaries

[Reg. Charltone (Cantilupe Soc.), pp. 50–51, A.D. 1368.]

Lewis, etc., to our Archdeacons of Hereford and Shropshire, greeting and to obtain in all sincerity health of souls. The art of arts is known to be the rule of souls concerning which according as the danger becomes greater, the more cautiously and carefully should we act. Since not without certain bitterness of mind we have learnt anew from the report of trustworthy people that while none [are permitted] to hear confessions or to absolve regularly those confessing in the court of the soul except their own priests or at least those specially privileged in this matter, some however as well secular as religious, not their own priests, neither privileged concerning their licence in this matter and further a thing we consider even more bitter and more lamentable, some men ignorant and perhaps not at all appointed to the order of priesthood, and others having in this matter no power to hear the confessions of our subjects and also to absolve them from their sins actually intrude themselves and act disorderly, while others led away by madness, pretending falsely and untruthfully in a detestable fashion to be our penitentiaries, have actually presumed hitherto and do not fear still so to presume to hear, alas ! the confessions of these our subjects and to absolve them from the bonds of their sins, even in cases reserved to us by law and custom and sometimes to the Apostolic see, damnably mocking the souls of the Christian faithful thus confessing to them, and defrauding them for ever. We therefore desiring to make healthful provision such as so great danger to their souls demands

lest their blood be required at our hands, have decreed that commissions should be ordained for the sharing and dividing of the burdens incumbent upon us with certain persons named in the schedule annexed to these presents, and have deputed these same persons to hear the confessions of all our subjects and to enjoin salutary penances in proportion to their faults upon such as confess their faults and to absolve them, even in cases specially reserved to us, and we make each of them our penitentiaries and, for carrying out the aforesaid we entrust our powers to them and each of them to hold good until the Feast of Pentecost next to come saving however the strikers of clerks anywhere, and of the laity in churches or any other sacred places, homicides, those who have perjured themselves on trial before our officials or commissaries on the Assizes or elsewhere for the purpose of disinheriting somebody, the violators of nuns and the corrupted nuns themselves, breakers into our parks and the violators of our rights and liberties and of our Cathedral Church and of trusts lawfully laid upon them by us or by our authority and also the control of any sums stolen, taken away or illegally extorted by theft, rapine, craft, fraud or any kind of calumny whatsoever by men alive or dead which extends to the value of 20 shillings or more, when nothing is known about the persons to whom restitution should be made or [when] the restitution cannot be made to them and the decision as to what pious uses and how much of such things taken away and illegally acquired ought to be spent, which for certain reasons we have reserved for ourselves, we withhold the power from these our said penitentiaries by these presents. Given at Prestbury, the twelfth day of February, in the above year of our Lord.

10. Licence to Study

[Reg. de Halton (Cant. & York Soc.), vol. ii. p. 115, A.D. 1316.]

Letter of Licence to attend School

John by divine pity bishop of Carlisle to our beloved son in Christ Ralph de Ergum, rector of the church of Greystoke of our diocese, health, grace and benediction. We desiring to follow up with the favour of our special grace the laudable design which, as you assert, you have secretly conceived in your heart for studying in order that you may be able to bring fruit to the church of God in your time, we by the tenor of these presents freely give you dispensation that applying yourself to the study of letters for four years to be numbered continuously from the time of the appointment committed to you, you shall not be bound to be promoted save to the order of subdeacon only which you remain bound to receive within the first year of entering upon your appointment provided however that in the meantime laudable service shall be rendered to your church in spiritual matters and that meanwhile you may have in your place a fit substitute for the same. Given at Carleton by Lincoln, 6th Feby., A.D. 1315.

Subsequently the same dispensation was further prolonged for three years and so he had dispensation for seven years.[1]

[Then follows immediately the institution of "Ralph de Ergum, acolyte," into the Rectory of Greystoke, dated 5th Feby. 1315.]

[1] A considerable period, but not uncommon; *cf.*, e.g., *Reg. Pontissara*, i. 165, 168, 170 (2).

II. Founding a Collegiate Church

[Reg. Pecham (Cant. & York Soc.), p. 55, A.D. 1273.]

The Ordinance made concerning the division of the church of Wingham into prebends.—In the name of the Lord, Amen. To all the sons of holy Mother Church to whose notice the present writing may come, Brother John, by divine permission, archbishop of Canterbury, Primate of all England for the perpetual reminder of the matter, as follows. After the prolonged efforts and suggestions of the Lord Robert of blessed memory, our predecessor, the Lord Pope Gregory X of happy remembrance is known to have conceded by apostolic authority for the ordaining a Provostship in the church of Wingham in our diocese belonging to our gift and a fitting college of secular canons under this form: Gregory bishop, servant of the servants of God, to our venerable brother archbishop of Canterbury, greeting and apostolic benediction. It was put before us on your behalf that you desired to increase the cult of the divine name in the parish church of Wingham, in your diocese, belonging to your gift and to ordain a college of secular canons in the same, of which the rents you assert will adequately suffice for the purpose. Wherefore you have earnestly asked concerning these matters for power to be conceded to you by the apostolic see. We therefore purposing to assent favourably to your prayers in this matter have thought fit by authority of these presents to concede to your fraternity concerning which we have fuller faith in the Lord, that you may ordain without prejudice to anybody in the said church, the rector of which our beloved son Tedisius

de Camilla withdrawing or dying, a Provost and fitting college of secular priests and a Provostship and certain and separate prebends from the said rents; and for whom in the said church you shall appoint as Provost you may provide from the said Provostship and for the other canons from such prebends; so that, however, the same Provost shall have the care both of the canons themselves and of the whole parish of the church itself; and the Provost himself and certain of the same canons shall be priests, while the rest of the canons shall be deacons and subdeacons. And both the same Provost and the other canons aforesaid shall be bound to serve the aforesaid church for ever, and they shall not be able to receive the rents of the Provostship or of the aforesaid prebends nor anything of the revenues of the said church except when they are personally resident in the same church; nor to punish the rebellious if there be any by ecclesiastical censure if an appeal be lodged. Given at Lyons on 23rd December, in the third year of our pontificate.

Finally the matter of the inquiry having arisen at the Roman court between the forenamed sir Tedisius on the one part and we and also the masters Roger de Rowelle, Anselm de Estria, Peter of Geldeford and John of St. Martin of Lewis clerks, on the other, concerning the aforesaid church of Wingham with its chapels and other things belonging to them of which things we had deprived the same Tedisius for certain and legitimate causes, having observed the procedure of law; and the same cause was debated there for some considerable time and at length through the intervention, authority and assent of the most holy father, the lord pope Honorius IV, by a certain ordination drawn up between the parties by the reverend father, lord

Bernard, bishop of Porto, cardinal of the Holy Roman Church, to whose arbitration, disposition, judgment, decision, sentence and decree, absolutely, both the said Tedisius for himself and my beloved son master William of Sardinia, our professor of civil law and proctor of the aforesaid clerks in this matter ; having sufficient mandates for the purpose from us and the said clerks decided to submit themselves, the same question was brought to a decision and allowed to drop under certain forms and conditions ; in which ordination however the same lord cardinal, full and free power having been conceded to him by apostolic authority to arbitrate, dispose, judge, decide and decree, as it should seem in the eyes of God to be expedient for the profit of souls, the prosperous state of the church and the peace of the parties, the said Tedisius having first made cession, renunciation and resignation into the hands of the aforesaid lord cardinal who received it by Apostolic authority of the aforesaid church of Wingham and its possessions of every right and duty belonging or about to belong in any way to him in the same church, as the tenor of that ordination makes clearly manifest, amongst other things deposes, orders and decrees that the church of Wingham with regard to the Provostship and the fitting college of secular clerks, according to the written concession of the lord Gregory, should be ordained by the Archbishop of Canterbury and its rents shall be divided into the Provostship and certain and distinct prebends, as declared above, notwithstanding any other concession, collation, institution or commendation made by us concerning that church and its chapels to the aforenamed master Roger, Anselm, Peter and John before the cession, renunciation and resignation of Tedisius beforenamed.

And so realising that such an ordination tends to the increase of divine worship and the better state of the said church, and desiring, as one ought, that it should be given according to the goodwill and command of the holy Father Lord Honorius aforesaid who ratified and confirmed of certain knowledge both the concession and ordination of the said lord [bishop] of Porto to the glory and honour of God ; we hereby ordain according to the form and authority aforesaid a Provost and a fitting college of secular canons in the church of Wingham and a provostship and certain and distinct prebends from the fruits and revenues of the church and of the chapels belonging to it.

And so firstly we determine, ordain, institute and for ever establish in the church of Wingham a Provostship and six Canonries with their prebends which we expressly reserve for the collation of ourselves and our successors. And no Provost or canon shall ever be admitted to that church unless, firstly, he should personally swear that he will faithfully keep our ordinance made according to the concession of the said Lord Gregory concerning the same church by the authority of the aforesaid ordination of the lord bishop of Porto and of the decree of the lord Honorius who approved and confirmed both, and also the rights and customs of that Church. To the oath of the Provost to whom belongs by Apostolic commission the care and jurisdiction both of the Canons and of the whole parish of Wingham and of all the chapels, we wish especially to be added that he will reside personally in the same church otherwise we decree that his institution or other possession whatsoever be invalid and void.

The Definition of the Provostship

Also we will that the Provostship or the portion of the Provost shall consist of the products and revenues, both greater and less, of that church of Wingham with all its hamlets and little vills and with our Archiepiscopal tithes of La Berton ; together with the chapel and tithes of the lord of Overland, and of all his tenants in Overland and with all the tithes of Cockyngge and Hodne ; and the whole tithe of Campies Crul, which is known to be of our holding in that district as with the consent of our Chapter we thought fit above by the aforesaid articles to separate the same church from its chapels. Also we concede and for ever assign the neighbouring houses of the rector of that church for the habitation of the Provost together with the meadow by the farm of Wingham which belongs of old to that church. But he shall have no power to sell any revenues, offerings or gifts greater or less of the other chapels of the same church. And when the Vicar of Wingham resigns or dies the revenues of the said Vicarage of Wingham shall go to the increase of the portion of the Provost for the time being to be held by him for ever. But of the six aforesaid canons, two are to be priests, two deacons and two sub-deacons according to the ordination of the aforesaid lord Gregory ; whose prebends we separate from the goods and remaining revenues of the chapels of the church of Wingham into certain portions in this manner.

The Separate Portions of the Prebends[1]

So we ordain and set apart the first priest-prebends in that church in the parish of Ash by

[1] It has been impossible to identify many of the names which occur in the above account, most of them being only field names or local designations, some of which have probably disappeared altogether. I am indebted

Chilton which we will shall consist of the tithes of the lands which William de Chilton holds and defends of us in Chilton excepting three fields, *i.e.* Bradfield, Bremthe and West Carr which we will shall remain for the common use of the canons.

Also we set apart the second priest-prebend in that parish at Pedding which we will shall consist of two fields, *i.e.* in the field towards the west of Pedding between Shatterling Orkene and the street which leads from the mill of Orkerne to Pedding and in the field towards the east of Pedding as is included by the road towards Scoreshulle and Holebagge and from Holebagge to the ford.

Also we ordain and set apart the first deacon-prebend in the parish of Godwinstone at Twithan which we will shall consist of the tithes of the lands of sir Alan de Twytham which he freely holds of us there, excepting two fields, *i.e.* Holdane and Brocfield which remain for the common fund aforesaid.

The second in the same parish at Bonington which consists of the tithes of the lands which sir Thomas de Bonington, Henry de Dovoria heirs of John de Bonington, Alexander de Coleshulle and William Edgar defend against us in the vill of Bonington.

Moreover we ordain and set apart the first subdeacon-prebend in the parish of Nonnington at Retling and we will that it consists of the tithes of the lands of the demesne which Richard de Retlynge and Rudolph Perot freely hold of us there, between the road which leads from Cruddeswood at the Cross of Bonington and from the Cross to the holding of the prior of Adesham.

to Professor Hamilton Thompson for several useful suggestions with regard to them. The names of the prebends are taken from his " Notes on Collegiate Churches " in the *Archaeological Journal* for 1917, a reference which I owe to Miss Rose Graham.

And the second subdeacon-prebend we will to be at Womenswould, and to consist of the field which lies between the road which leads from the wood of "la Dane" up to the road which leads from Nethersole to Berhamdown and the holding of Ackholt, and the holding of the prior of Canterbury.

Each aforesaid prebend, as we have appointed them above, shall be called by the names of the places in which they consist. And in each canon's stall we order to be written their titles and names according to their rank. But the remainder of all the goods, tithes, revenues, lands and all offerings belonging to the said church of Wingham and its chapels, *i.e.* Ash, Overland, Flint, Goodnestone, Nonington and Womenswould in whatsoever they consist, except the portions of the Provost and the prebends indicated and named above we set aside, depute and wholly assign to the community and the common property of the said six canons to be held by them exactly as is laid down below.

The Vicars are to be Priests

For the rest both the Provost himself and each canon shall have under them in the prebendal church of Wingham itself priest Vicars or at least deacons ordained within the next four times [of Ordination] for serving the church perpetually in habit and tonsure as is observed in other such collegiate churches and in accordance with the honour of the church.

And that the canons themselves may be able to bear more easily the burden of their vicars and to provide for them more conveniently we entirely assign to their community the alterage of Esshe on the retirement or death or other removal by canonical means of the vicar of that place, together with the

alterages of Nonington and Godwinstone : provided however that the chapels shall not be defrauded of their due services and especially the chaplain of the parish of Esshe, who shall always have with him a chaplain and ministers suitable to the honour of the church, shall receive every year up to the value of ten pounds from the revenues of that alterage for the burden incumbent upon him. But each vicar for his necessities shall receive annually six marks from the common purse from which payment shall be made to each one in equal portions each quarter of the year.

And that the same canons as regards houses and necessary buildings may be able more commodiously and easily to provide for themselves on the church's land according to their industry, we give, concede and assign the tenants and tenements of that church on the opposite side of the Prior's houses, existing by our granges or our barton and the rents concerning these with the escheats and any other things whatsoever with their rights and appurtenances and that the canons for the time being shall have the same right over their tenements and the tenements of the church and receive freely as the rector of that place was accustomed to possess.

Ordination of a Steward

Furthermore lest the common goods should suffer loss or be improvidently transferred into suspected hands, we determine and ordain irrevocably that one of the canons with the consent of all the residents or the greater or more sensible part of them, specially assigned to carry out the duties of a steward shall have full and free administration of all the common goods aforesaid, which we determine shall come wholly into his hands who shall answer at certain

times to each vicar concerning his aforesaid portion and shall pay to the residentiary canons their daily distribution, *i.e.* to each one for his commons twelve pence every day; but the rest of the common revenues shall remain in the custody of the steward himself for the common treasury to be reserved, if no other canon shall be altogether resident, for common necessities. But if as many as one canon shall be in residence half shall be paid to him and the other half reserved for common necessities. That if many are resident the whole residue shall be proportionally divided amongst them at the end of each term.

How the Goods of the Church should be divided amongst the Residents

Also the same steward shall be bound to render a faithful reckoning and account concerning such his administration and distribution at least once a year in the common treasury before the canons resident, and when it happens that he for any cause is removed from such duty another shall be chosen in his place in a similar way.

How Canons are to Reside

But concerning residence carried out in the said church and the payment of the daily distribution aforesaid and also the division at the end of each term, we will that it be kept and held as follows: we decree and also ordain for all times that each canon who desires to be a participant of the portion divided up at the end of each quarter of the year, must be in residence for at least four months in the year, *i.e.* for one month either continuously or at intervals in each quarter of the year. And unless the residing canon failing some legitimate cause

complete one month within a quarter of the year in which he happens to be resident he shall have no part in the receiving of the dividend at the end of that time.

The Distinguishing of the Four Quarters of the Year

We thus distinguish the four terms or quarters of the year: we determine that the first quarter of the year be counted from St. Michael's day up to the feast of our Lord's Birth, the second from the day of our Lord's birth until the feast of the Annunciation of our Lord, the third from the Annunciation until the feast of the Nativity of John Baptist, and the fourth term or quarter of the year we determined shall be named from the aforesaid day of St. John until the feast of St. Michael.[1]

Which Canons are to be Called Resident

We call those canons resident for purposes of the reception of the aforesaid daily distribution who shall be present in church, failing any infirmity of the body at matins, prime, high mass and vespers, or at least one of those hours or at high mass. Those also who are absent for the purpose of carrying out the business and necessary works of usefulness of that church with the knowledge of the Provost and the residents. But if ever some canon be in need of bleeding when the necessity arises we are willing to concede to residents four times in the year that it may be lawful to such an one on account of this to absent himself from the church for three days and during such days he shall be reckoned as resident.

But the provost for the time being shall not take

[1] *I.e.* from September 29–December 25; December 25–March 25; March 25–June 24; June 24–September 29.

part in making the distribution as above said whether all the canons or some of them be resident or not; but he shall be content with the portions assigned to him above for the burdens imposed upon him. Nevertheless out of the legacies, trust monies and other goods left to or conferred hereafter upon the church itself by the devotion of the faithful by whatever legitimate title, for anniversaries or for the celebration of divine service in the said church of Wingham, the Provost for the time being, so long as he is resident, shall agree with the canons resident concerning the portion per head.

Concerning Divine Service and the Position of the Vicars

Furthermore concerning divine service and the regular observances we wish those to be kept and held in the aforesaid church according to the disposition of the Provost and canons resident which are observed laudably in other such collegiate churches in the neighbourhood.

But every canon shall present his vicars to the Provost when necessary to be admitted by him of his own will if they are suitable none of whom shall be received there unless he can sing well, is of good manners and adequately educated; and if any of them happen to be found debauched, failing any excuse, he must be expelled instantly. And if furthermore he is drunken, a brawler or otherwise insolent, unless being warned he corrects himself, he shall be expelled by the Provost with the advice of the residents. With regard to the correction of delinquents the Provost shall exercise his office with diligence according to the canonical sanctions. But we reserve to ourselves absolutely and to our Archiepiscopal successors the visitation of the Provost

himself and of the College ; so that no official of the college nor anyone else shall dare to visit or execute any jurisdiction there without a special mandate of the Archbishop for the time being saving the jurisdiction of the Provost which we will to be reserved in everything unimpaired.

Sentence against Those disregarding the Ordinance

If however anyone shall presume to proceed knowingly and wickedly against this decree of our institution and ordinance or to change it, particularly to assail in any way wickedly the distinction made for the Provost and prebends or the rights of that church ; or to molest the Provost and canons or ministers of the church or any of them, contrary to the details of the present ordinance ; or to occupy in any way whatsoever the provostship or any prebend he shall lie *ipso facto* under sentence of excommunication and anathema which we proclaim by apostolic authority by these writings against any such arrogant person or persons. Nevertheless we entrap with the snare of God's and our own curses and of all the patron saints of the church of Canterbury any such disturber or disturbers of whatsoever kind to be himself or themselves chastised by the devilish tyranny until he or they shall have worthily repented, crushing them by the authority which we wield ; he will be able to fear not unworthily the indignation of almighty God and of all the patron saints of the church of Canterbury.

In testimony of all which and for a perpetual reminder of the matter, we cause the present writing to be strengthened by the protection of our seal. Executed and given at Southmalling on the 18th February, A.D. 1286, in the ninth year of our ordination.

12. A Matrimonial Inquiry

[Reg. Charlton (Cantilupe Soc.), p. 48, A.D. 1330.]

(*a*) *Mandate to Inquire*

Edward, etc., to Thomas, etc. Whereas Juliana who was the wife of William Cricketet sought in our court, etc. against John de Anseye the third part of six acres with the appurtenances in Webton as her dowry, the same John came into the same court and said that the aforesaid Juliana ought not then to have the dowry because he said the same Juliana was never legitimately joined in matrimony to the aforesaid William. To which the same Juliana replying said that she was married to the same William at the gate of the chapel of Webton in your diocese. And for this reason, etc., you shall make diligent inquiry, etc. And that then, etc., at Westminster within three weeks of Easter, etc. Witness W. de Herle at Westminster, 27th day of January, in the sixth year of our reign.

(*b*) *Renewed Inquiry*

[*Op. cit.* p. 50.]

Edward, etc., to Thomas, etc. That whereas when Juliana who was wife of William Criketet, etc. was seeking against John de Anseye as above, we commanded you to inquire and to establish that which you then found out, you have done nothing nor did you send our brief as you were ordered. And so we command you, as we have commanded you elsewhere, etc., to inquire and make report what you will then have discovered, etc., within

fifteen days from St. John Baptist's day. And know that unless you follow out fully this mandate we shall take you gravely to task and see that you have this writ there. Witness W. de Herle at Westminster, 13th May, in the sixth year of our reign.

(*c*) *The Reply*

[*Op. cit.* p. 50.]

To the venerable and discreet men the Justiciars of the illustrious lord the king of England, at Westminster, Thomas, etc. We have already received the writ of our Lord the king in these words :— Edward, etc. (*ut supra*). Concerning therefore the things contained in the said writ through the faithful men and witnesses sworn to this and diligently examined, having summoned all who should be summoned for the purpose of considering this matter, we inquired and found that the said Juliana, concerning whom mention is made in the said writ, was never joined in legitimate marriage or legitimately betrothed to William Criketet, named in that writ, and we cause this to be made known to you and all of those interested in this matter by these our letters patent sealed with our seal. Given at Malmeshulle Lacy, 6th July, A.D. 1332.

Concerning the matters contained in that writ we have caused diligent inquiry to be made as is more fully contained in our letters patent which we sent to you under our seal pendant.

13. A Licence Granted to Carmelite Friars

[Reg. Swinfield (Cant. & York Soc.), p. 300, A.D. 1293.]

On behalf of the brethren of Mount Carmel.[1]—Richard, etc., to the discreet men and beloved of him in Christ, the Provincial prior and brethren of the order of Mary of Mount Carmel established in England, greeting, etc. The worthy honesty of your religion excites and persuades us to treat you with grace and favour. We therefore concede a special licence to your devotion that the brethren of your order to whom God has given the power and grace of preaching, obtaining a licence for this in your provincial chapter, shall have in our diocese in every place to which it shall happen that they shall come power freely to preach lawfully in parish churches the word of God to the people, to hear confessions and to enjoin salutary penances according to the tenor of your privileges unless they entrust to you in confession anything of such a kind that the Roman court should be consulted or the diocesan bishop. To those also who have listened to your preaching in our diocese and have been penitent for their sins and confessed, we concede by these presents twenty days' indulgence, with the Lord's authority. In which, etc. Given at Ross, June 7th, A.D. 1293.

[1] *Cf.* Additional Note on Friars.

14. Episcopal Assent to the Founding of Two Chantries

[Reg. Baldock (Cant. & York Soc.), p. 19, A.D. 1306.]

To his magnificence the lord prince, the Lord Edward by the grace of God illustrious king of England, lord of Ireland and duke of Aquitaine, Ralph by divine permission bishop of London greeting in Him by whom kings reign and princes rule. We intimate to your Highness by these our letters that, saving all rights, liberties, rents, services and due customs whatsoever to us and our successors and to our church of London, concerning the two messuages,[1] one hundred and sixty-seven acres and a half of arable land, four acres of meadow, sixteen acres of meadow, twenty-two acres of wood, and twenty-one shillings and fivepence halfpenny in annual rent which sir Simon de Furneus holds of us in Pelham Arsa and Pelham Furneus, we have conceded that so far as it is in our power, provided however that it is pleasing to your lordship, that the same Simon may give the aforesaid two messuages land, meadow, pasture, wood and rent to the Prior and convent of Tremhale and their successors to support one chaplain in the church of the Blessed Mary at Pelham Furneus and for the maintenance of one canon in the Priory of Tremhale to hold celebrations for the soul of himself and the souls of his predecessors for ever. May the King of kings preserve you safely for many days. Given at Fulham, 5th Aug., etc.

[1] A messuage was a house and garden.

15. A Rector must Repair the Chancel of his Church

[Reg. de Gandavo (Cant. & York Soc.), p. 93, A.D. 1302.]

[Mandate] to the Archdeacon of Salisbury or his official to repair the damages in the chancel [1] at Urchfont.—When a little while ago we came personally to the church of Urchfont for the purpose of spreading abroad the seed of the divine word we saw the chancel of the same disgracefully uncovered and we found the rector absent, and all kinds of helps for the poor so withdrawn, that being urged by the duty of our office we were compelled to write to you to place a sequestration upon the revenues of the aforesaid church. We remember however that after warning had been given to us we ordered the sequestration to be relaxed by you. Nevertheless, because, journeying some time ago through that place we found the foregoing by no means corrected we command you by firmly enjoining that you will canonically warn the said rector, if he shall be found there, having moreover set forth the order publicly in the church, that this side the feast of St. Andrew [2] next to come, he will cause as he is bound, the said chancel to be covered over under penalty of the greater excommunication which we bring against his person in these letters if he refuses to obey our orders in this matter; from that time if he will not be obedient you will pronounce him in the said church and in other neighbouring churches to have incurred the said sentence of excommunication until such time as he deserves to obtain from us a rectification of his state, nevertheless peremptorily citing the same

[1] A rector's duty (see above, p. 121).

[2] November 30.

to appear before us on the next law day after the Octave of St. Martin whensoever we shall be in our diocese to answer officially to the charges against him, and to do further and to receive what shall be just and in agreement with justice. Furthermore, because the said rector absents himself from the said church without having obtained our licence and is said to have conceded it to laymen to farm and to be in too evil repute owing to its dilapidations, by the right and authority of sequestration and by the censure of the church you will cause, if it should become necessary, the revenues of that church to be kept in strict sequestration until in some other way you have had orders from us. And what you will have done in the foregoing you shall write to us in detail distinctly and openly this side the feast of St. Martin [1] aforesaid by your letters patent containing the series of these. Farewell. Given at Clynoborn on 5th Oct., A.D. 1302, and in the fifth year of our consecration.

[1] November 11.

16. A Parochial Sequestration

[Reg. de Gandavo (Cant. & York Soc.), p. 66, A.D. 1301.]

To the archdeacon of Salisbury on behalf of the manifest defects in the chancel of the church of Erchfont discovered by his lordship.—Coming in person some time ago to the church of Erchfont to proclaim the word of God we found the chancel of that place uncovered so much so that if rain snow or hail should have descended then even lightly there would have been no more convenient place therein to celebrate the solemnities of the mass than under the open sky; in which case it certainly becomes our solicitude to make clear the deficiency of the rector of that place and we are unable to commend your diligence. Furthermore, we have found that the aforesaid rector without our leave has not only left the aforesaid church, but, in addition, from the time when he obtained possession of it, as is set out above, he has always been absent and has not hitherto come near it, but without licence sending to other places the rents and offerings belonging to that church, and by means of an illegal contract he has granted and still grants it to a layman to farm yet by some fraudulent subtlety of language inserted in the said contract by a change not of substance but of wording, as by the substitution of the word farmer for layman, to the peril of his own safety and the no mean prejudice of the parishioners of the said church and the scandal of very many. Since therefore we cannot with averted eyes pass over the foregoing without correction, we, by the tenor of these presents, commit and entrust to your devotion that in our place and by our authority for the

aforesaid as well as other certain and legitimate causes you are to sequestrate the aforesaid fruits, revenues and offerings to be kept in safe sequestration by the vicars of that or neighbouring places until you have another order from us touching these matters. Farewell. Given at Poterne, 30th December, A.D. 1301, and in the fifth year of our consecration.

17. Licence for an Oratory

[Reg. Charlton (Cant. & York Soc.), p. 8, A.D. 1331.]

Thomas, etc., to our beloved son, Peter Pigot, of our diocese, greeting, etc. Having inclined favourably to the prayers of your devotion so far as it belongs to us by the tenor of these presents we concede to you free faculty that in your mansion of Wilastone, of our diocese, in an oratory built there, being duly and properly equipped for divine service, and not being used for secular business, you may have divine service celebrated by a suitable priest without prejudice to the mother church [1] or of any other within the limits of whose parish it is known to be situated. These presents to continue in accordance with our good-will. In witness of which matter [we command our common] seal [to be appended], etc. Given, etc.

18. A Dispensation from Illegitimacy

[Reg. Charlton (Cant. & York Soc.), p. 22, A.D. 1332.]

At Prestbury, 18th September, in the year above-said, his lordship gave a dispensation to Henry of Rudmerley, clerk, concerning defect of birth who suffers from having been begotten of a single man and a single woman that he may be promoted to all orders and to obtain ecclesiastical benefit even if he were to have cure of souls, according to the form of the letters of our lord Gaucelin by divine pity bishop of Albano, penitentiary of the lord pope which he has placed in the keeping of the lord Henry.

[1] Sometimes compensation was granted to the mother church, as in the case of the parish church of Leigh, which was granted 2 lb. of wax every year, as well as the offerings of the oratory of the manor of Penshurst at the chief ecclesiastical seasons (*Reg. Hethe*, p. 21).

19. Appointment of a Vicar-General

[Reg. de Halton (Cant. & York Soc.), vol. ii, p. 222, A.D. 1322.]

John by divine pity bishop of Carlisle to the discreet man master A. de Appelby, Rector of the church of Caldbeck of our diocese, health, grace and benediction. Being very often hindered by the fury of the Scottish persecution, which grows more violent each day in these times, from dwelling without fear in our aforesaid diocese to watch in person over the flock entrusted to us we ordain and appoint you by these presents our Vicar-General while we are busy in distant parts ; specially committing to you as our deputy authority in spiritual matters with power of canonical coercion for receiving in our place and by our authority the retirement of priors and the resignations of rectors and vicars and other ecclesiastical men and of inquiring more fully concerning those things which belong to or can belong to the health of our subjects both clerical and lay and of correcting, punishing and also reforming their crimes and excesses whensoever and whencesoever they may appear and of examining, approving, confirming and even installing those who, being elected, are presented to you, and of doing and carrying out all and singular, even if they demand a special mandate, the things which can in any way belong to the office of Vicar-General in accordance with the decrees and canonical statistics of the holy fathers. This we, by the tenor of these presents, intimate to all whom it may concern granting these our letters patent in witness of the foregoing. Given at Horncastle 1st Dec., A.D. 1322.

20. A Bishop's Oath of Fidelity to his Church

[Reg. de Charlton (Cantilupe Soc.), p. 1, A.D. 1327.]

I Thomas, bishop of Hereford, from this hour will be faithful before all things to this holy church of Hereford, and I will observe with all my powers the rights, liberties, privileges and customs of the same and I will hold and defend them as far as I can. So help me God and these holy gospels of God.

21. A Bishop's Oath of Canonical Obedience

[Reg. de Charlton, p. 1.]

In the name of God, Amen. I Thomas, bishop of Hereford, according to the decrees of the Roman pontiffs and your rights profess and promise that before all things I will show to you Simon, Archbishop of the holy church of Canterbury, primate of all England and to your successors placed canonically in the said church of Canterbury, due canonical obedience, reverence, and subjection ; and I will be a help to the aforesaid church of Canterbury for its defence and maintenance ; so help me God and the holy Gospels of God ; and I confirm all the aforesaid by the writing of my own hand.

22. Appointment of a Commissary-General

[Reg. de Charlton (Cant. & York Soc.), p. 2, A.D. 1330.]

Thomas, by divine permission bishop of Hereford, to our beloved son in Christ, master Richard de Sidenhale, rector of Whitebourne, of our diocese, greeting, etc. For hearing and bringing to a proper conclusion whatsoever causes or businesses between whatsoever parties and in whatsoever consistory courts of our diocese, with the matters emerging and resulting therefrom whenever they may be held or even brought forward, and for inquiring, correcting and legitimately punishing all excesses whatsoever of our subjects, and also when we are outside our diocese, for writing about whatsoever presentations of whatsoever persons to whatever benefice with or without cure of souls, vacant in our diocese, or also about to be vacant, and for inquiring into the vacancy of such benefices and other due and accustomed articles in this matter and for certifying us as is known to be the custom in such cases ; to you in whose industry and fidelity we confide, we commit our duties with full power of canonical coercion and of following up what you have decreed in the premises and the circumstances relating thereto. Given at Bosebury, on the 19th September, A.D. 1330, and the third year of our consecration.

23. Appointment of the Master of a Grammar School

[Reg. Gilbert (Cantilupe Soc.), p. 48, A.D. 1384.]

John, etc., to master Richard Cornwaille, greeting, etc. Since we have frequently asked the Chancellor [1] of our cathedral church of Hereford and the proctor of the same Chancellor, to whom according to custom the gift and appointment of the master of the grammar school of the city of Hereford belong, to provide a fit master for ruling and governing such school with the result that they have expressly refused to obey such our requests to the prejudice of Holy Church and not a little loss and complaint of scholars willing to learn. Whence we, considering your fitness and finding you by diligent examination suitable and fit in character and knowledge, by our episcopal authority in default of the aforesaid Chancellor and his proctor, appoint and ordain you by these presents to the rule and government of the grammar school with rod and birch,[2] as is the custom, for the duration of one year only. In testimony of which, etc. Given at our manor of Whitbourne, 26th December, A.D. 1384.

[1] There appears to be some uncertainty about the chancellor of Hereford at this time. According to a royal mandate dated 1377 it should be Nicholas of Hereford (*Charters and Records of Hereford Cathedral*, ed. Capes, pp. xli, xlii), but for some unexplained reason the chancellorship was regarded in 1387 as being vacant for twelve years, the revenues being appropriated by Peter de la Mare, Speaker of the Good Parliament and one of the Knights of the Shire of Hereford (Stubbs, *Const. Hist.* ii. 480). The fact of the mandate of 1377 seems to nullify the contention of the editor of Gilbert's *Reg.* (p. v) that he was papally provided. This is also the view apparently of Dr. Workman (*Wycliffe*, ii. 133 ; and see pp. 131–137 for a succinct account of Hereford's career).

[2] This, as Dr. Coulton points out (*Social Life in Britain*, p. 55), was the usual medieval method of initiating anyone into an office, as at Oxford, where the Vice-Chancellor handed over " a Palmer with a Rodde."

24. Appointment of a Proctor for Rome

[Reg. Baldock (Cant. & York Soc.), p. 93, A.D. 1308.]

A bishop's proctor for visiting the court of Rome.—To the most holy father in Christ, the lord C.[1] by divine providence chief priest of the holy Roman and universal church, his humble servant Ralph, by divine permission bishop of London, devout kisses upon the feet of the blessed. Since we are greatly occupied by the various and arduous tasks of our church in treating about and carrying on which at the present time it behoves us of necessity to take part, as we wish to avoid the burden and loss both of ourselves and of our church and to preserve unimpaired our rights and those of our church, and for that reason at this our present triennial term at which we ourselves or our proctor are bound to visit the thresholds of the blessed apostles,[2] we cannot personally take part in it, we make, ordain and constitute by these presents our beloved master in Christ, Adam de Kyrkeby, our proctor, to be present himself on our behalf and in our name at the Apostolic see and to visit the thresholds of such the aforesaid Apostles, and to substitute another in his place for the foregoing, holding as established and confirmed whatever shall have been done or even procured to be done by the said master Adam or one substituted by him in the foregoing or any of the foregoing, sealing these our letters with our seal in witness of the foregoing. Given at Stepney, 4th December, A.D. 1308.

And let it be noted that a similar letter addressed to all the faithful of Christ has gone forth under the same date.

[1] Clement V, 1305–16. [2] The usual designation ; see note on p. 233.

25. Absolution from Performing a Vow of Pilgrimage

[Reg. Baldock (Cant. & York Soc.), p. 108, A.D. 1309.]

Be it known to all the sons of holy mother church by these presents that I, brother Richard of Leicester, being made deputy-proctor by the religious man brother William of Pothale, prior in England of the Hospital of St. John of Jerusalem, himself appointed proctor by the venerable brother Fulk de Villareto by the grace of God, master of the holy house of the Hospital of St. John of Jerusalem and guardian of the poor of Christ for the purpose of receiving all and singular the aids from the faithful of Christ which are granted by reason of the indulgences conceded to them and to their order by the apostolic see, for a passage to the holy land against the blasphemers of the cross, not exceeding five years, and of making acknowledgments of the receipts, have received three gold rings of the value of five shillings sterling from Richard de Bedford, a poor citizen of London who vowed originally to go on a pilgrimage to St. James,[1] and now afflicted with age and weakness and oppressed with so much poverty that he cannot make the said pilgrimage nor is he able to redeem his vow effectively according to the form of the apostolic rescript concerning the commutation of such vows transmitted to the aforesaid master and brethren from the apostolic see, and I request the venerable father Ralph, by the grace of God bishop of London, whose subject the aforesaid Richard is known to be that he will absolve him from the above written vow. And the same bishop, having looked

[1] St. James of Compostella in Spain.

into and found out fully the inability of Richard himself both bodily and as regards capacity, has absolved the same Richard at our request from the vow set out above. And in testimony of the foregoing I have caused these letters patent to be written and sealed both with the seal of the father aforesaid and our own, to be transmitted to the venerable father the lord archbishop of Canterbury, primate of all England, according to the form of the apostolic mandate. Given at London in the year of grace, 1309. *Invalid. It did not issue under seal.*

26. Synodical Proceedings

[Reg. Bothe (Cantilupe Soc.), p. 66, A.D. 1519.]

Acts of the Synod of Hereford.—The acts carried out in the said convocation or sacred synod of prelates and clergy of the city, deanery and archdeaconry of Hereford in the cathedral church on the fifth day of May, A.D. 1519.

After first singing the mass of the Holy Spirit at the high or chief altar in the choir of the aforesaid church and the intoning of the litany by the clergy of the aforesaid church proceeding in general procession through the city and returning to the cathedral church and then when the obeisances and prayers accustomed to be said in synod had been performed, the gospel *Designavit* was read and the hymn *Veni Creator* was sung, and when an address to the clergy had been made, a move was made to the chapter-house where his lordship was certified concerning the names of those cited and warned both by the dean in the city and deanery, and by the archdeacon in the archdeaconry of Hereford by letters patent of the said archdeacon and dean and that venerable man, master William Burghill, treasurer of the cathedral church and official of the bishop's consistory by the authority and mandate of the said reverend, etc., Charles, bishop of Hereford, then and there personally appointed and present, published and read certain chapters, articles as well as certain constitutions concerning which it will be made clear below, published, declared and handed to the clergy by the most reverend Thomas, etc., archbishop of York, in a council of the bishops of the Province of Canterbury and York held together

at Westminster, concerned with the honour and utility of the church, the life and honesty of the clergy, their habit and the reformation of their morals, and so the said synod was adjourned until the third hour after midday of that day, and warning was given that all and singular who were then and there cited should be present at the chapter-house and that no one should withdraw from the Synod without a licence. At which time and place those who were present before were called together and when certain chapters or articles, especially concerning the habit of the clergy and the life and morals of those to be ordained, had been set forth and published in the vulgar tongue for their better and more fruitful understanding by the said master William Burghill, the said reverend father turning to certain other chapters and articles touching prelates and to the publication of the same, read them through and made them public and decreed that a copy or exempla of the said articles should be made and handed over to all who should ask for them, and he pronounced contumacious all possessioners or those holding appropriated churches in his diocese who had been cited and called and had not appeared, ratifying and approving of the reservation of the penalty for such contumacy until the ninth hour of the following day and of their actual appearance in person ; having given his benediction he completed, finished and by his authority as ordinary dissolved such synod.

27. Visitation of a Collegiate Church

[Reg. Winchelsey (Cant. & York Soc.), p. 285, A.D. 1298.]

Statutes and ordinances left at the prebendal church of South Malling after visitation.—In the name of the Lord, Amen. Visiting personally by right of our office the collegiate church of South Malling of our immediate jurisdiction of the diocese of Chichester touching both the persons and the affairs of the aforesaid church, we, for a perpetual reminder of the matter ordain and decree that the things written below shall be observed inviolably for ever in the same church. Namely that the dean, penitentiary and sacrist for the time being shall reside permanently in the said church perpetually and continuously and that the other canons of the church for forty days in each year at least according to the statutes of that church which we saw confirmed by authority of the apostolic see. Else a fifth part of their income for that year in which they are altogether absent and do not keep such residence shall be distributed amongst the residents divided equally among them. And that each of them at his installation in the presence of the canons and other ministers of that church then present shall swear an oath in person to observe the foregoing, from whom we only except those who are delayed by service for us or the apostolic see, and to whom we shall deem it necessary to give special dispensation on these grounds. Furthermore we decree and for future times ordain that since vicars of the said church of South Malling are bound to reside and to conduct continuously divine services in the same, no vicar for the future shall be admitted to that church, or being first admitted shall be retained who is bound by law or

custom to residence elsewhere than in the same church of South Malling. Also we add by decreeing that no canon or any other bearing office or ministry in the same church shall presume to hand over to farm to any layman whatsoever the fruits of their prebends or ecclesiastical portions. And in addition to this we ordain by decreeing that documents and muniments of the church and the common seal shall be kept for the future in one chest under a lock with two different keys ; *i.e.* so that if two canons should be in residence in the same church each of them during the time of their residence shall keep one of the said keys in their custody, so that whichever of them absents himself from the church shall hand over his key to the keeping of another resident who has no key. So that if one canon shall be resident he ought to keep one and the dean or, in his absence for any reason, his deputy in the same church, the other. But if it should happen at some time that no canon whatever is resident in the same church we will and ordain that the penitentiary and sacrist shall each diligently keep those keys as before. And that these most healthful statutes issued by us both for the honour of God and the increase of divine service may be inviolably kept hereafter we strictly forbid, alike for the welfare and utility of that church, that anyone for the future shall presume either in whole or in part with rash temerity to violate these under penalty of the major excommunication which from now we bring by these writings against all and singular who offend in the foregoing or any of the other aforesaid canons so that thus by fear of the penalty they may be warned away from their damnable transgression. Given and executed at South Malling on 5th Oct., A.D. MCCXCVIII, and in the fifth year of our consecration.

28. Appointment of a Seneschal

[Reg. Orleton (Cantilupe Soc.), p. 16, A.D. 1317.]

The Commission of John de Bromfield made by the bishop of Hereford for the office of Seneschal.

Adam, etc., to his beloved and faithful John de Bromfield, greeting, etc. Confiding sufficiently in your industry and fidelity, for the hearing and ending of the pleas of our courts and from doing such other things which belong or can belong to the office of Seneschal, we appoint, ordain and constitute you by these presents our Seneschal until we shall think fit to revoke them commanding you that in the execution of such your office you will conduct yourself in such a way that we shall be compelled deservedly to commend your industry and diligence. In testimony of which matter, etc. Given at Thame,[1] 21st August, A.D. 1317.

[1] Thame is in the diocese of Lincoln, where the bishop resided, apparently, after receiving the temporalities of his see on July 24 and before his enthronization on October 1. The reason for the delay is uncertain.

SECTION III. MISCELLANEOUS DOCUMENTS

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1. A Grant of Three Tenements at the Rent of a Red Rose

[Reg. Myllyng (Cantilupe Soc.), pp. 107–108, Aug. 22, 1488.]

This indenture made on the 22nd day of August in the eighteenth year of the reign of king Edward IV after the conquest between Thomas, etc., on the one part and our well beloved John Myllyng, his brother of the other part, witnesses that the aforesaid bishop gave, conceded and let to farm to the aforesaid John three tenements situated and lying adjacent to the large holding or mansion of the bishop of the city of London in the parish of the blessed Mary, Virgin, of Monthalt there to have and to hold the said three tenements with the appurtenances thereof to belong to the aforesaid John Myllyng for the term of his life rendering then annually to the aforesaid bishop and his successors, during the aforesaid term, one red rose on the feast of St. John Baptist, if it be demanded, in discharge of all services.[1] And the aforesaid John Myllyng shall repair, maintain and supervise at his own costs and expenses the aforesaid three tenements with their appurtenances in everything, and that if the same John upon warning of half a year made to him on the part of the said lord or his successors, will not repair the aforesaid three tenements when necessary, from then it shall be fully permitted to the said bishop and his successors to

[1] This is a case of petty serjeanty, examples of which occur occasionally in episcopal registers. An interesting one is that of the first dish in Rochester Priory (*Reg. Hethe*, p. 60).

reoccupy these tenements and to regain his former status thenceforth, notwithstanding these present indentures in anything. And further the aforesaid bishop ordained and deputed the aforesaid John Myllyng his brother, guardian of the large holding or tenement aforesaid with the appurtenances for the said John, his brother, to have the custody of the aforesaid holding occupying it himself or through his sufficient deputy for the term of his life, receiving annually on Christmas Day, thirteen shillings and four pence for the aforesaid guardianship paid by the hand of the said lord and his successor or by the hand of a receiver, bailiff or others of the farmers of the said lord or other occupiers of the aforesaid holdings for the time being and in the name of possession or seisin of the said annual rent of thirteen shillings and fourpence for the aforesaid custody, the aforesaid bishop placed the aforesaid John Myllyng in possession on payment of fourpence. Given in our manor of Whitbourne on the day and year aforesaid.

And we, the Dean and Chapter of the Cathedral Church of Hereford, as far as in us lies, ratify approve and confirm by these presents the said charter of indenture made by the said venerable father to the aforesaid John Myllyng, and all and singular contained and specified in the same. In which, etc. Given at Hereford in our Chapter House, on the sixth day of September in the year of our lord one thousand four hundred and seventy-eight and in the aforesaid eighteenth year of the king.

2. An Indulgence for Listening to Sermons

[Reg. Orleton (Cantilupe Soc.), p. 337, A.D. 1325.]

Letter of Indulgence.—To all those of holy mother church to whose notice the present letters shall come. Adam, etc. Greeting, etc. The word of the most high God proclaimed by holy religious and other honest men sons of holy mother church strengthens and inflames to perseverance in good resolutions those who walk in the paths of the commandments of God, and by means of the same some erring from the road of rectitude are healthfully recalled from wandering. And sometimes into those who have fallen into the deep pit of their sins, by the help of the clemency of him whose word is proclaimed there is mercifully poured grace to rise again and to earn more easily the pardon of their sins and the joys of the heavenly kingdom. Therefore directing the attention of our minds to the fervour of holy religion and charity, the adornment of life, the encouragement of devotion, the gifts of the knowledge of God, whereby the Most High has made fruitful our beloved sons in Christ, brother N. de B. by the grace of God abbot of the monastery of T. and the monks of the same place, and to the multitude of the faithful who flock to their conventual church for the purpose of devotion which we desire to increase, and further hoping also that the faithful people of God may the more readily desire to come together to the preaching of the said religious men in order that they may be the more effectively roused by attractive gifts of indulgence, therefore by the pity of Almighty God and confiding in the merits and prayers of the glorious Virgin Mary his Mother and of the blessed

Ethelbert, king and martyr, and Thomas, bishop and confessor, and also of all saints, to all those subject to us by diocesan right and to all others whose diocesan may hold as effective and accepted this our indulgence, provided that they are genuinely contrite, penitent and confessed of their sins if they will come to listen with devoted minds and intent ears to the preaching of N. de B. aforesaid or his successors of the aforesaid monastery of T. or those of the said monastery who should be elected and approved as fit for this purpose by their abbot whenever it may happen within the boundaries of the aforesaid monastery they or any one of them may publicly preach the word of God, if they should show these presents, to all such we mercifully relax . . . days enjoined upon them as penance. In, etc.

3. A School of Theology

[Reg. de Gandavo (Cant. & York Soc.), p. 41, A.D. 1300.]

A reminder that on the 8th of the kalends of November [Oct. 25th] at Cerdestock a letter issued to the Dean of the church of Salisbury or his deputy in this form : S. by divine permission, etc., to our beloved son the Dean of our church of Salisbury or his deputy, health, grace and benediction. Some time ago a general council[1] decreed amongst other things that a metropolitan church ought to have a theologian who could teach the priests and others in holy writ to bring forth abounding fruit in the house of the Lord and amongst these things especially to teach what are known to be necessary for the cure of souls. At the instance of which our predecessors burning with the zeal of holy devotion and bound by the same thought of honour and necessity, ordained similarly that there should be a doctor of sacred Scripture in our church of Salisbury, placing the burden of such, as we understand, together with the emolument of a richer prebend upon the person of the chancellor for the time being as it is said to have been done with due diligence from of old up to

[1] This refers to the general council of 1215. The decree, though intended originally to apply only to metropolitan or archiepiscopal churches, appears to have acted as an incentive to other cathedral churches to do the same. It is interesting to note that the following words from the register occur in the original decree : *theologum . . . habeat, qui sacerdotes et alias in sacra pagina doceat et in his præsertim informet, quæ ad curam animarum . . . noscuntur* (Leach, *Educational Charters*, pp. 141–143). According to Dr. Leach, the first university college established in England was at Salisbury under the title of the " House of the Valley Scholars of the Blessed Nicholas," mentioned in the next note. It consisted of a warden (*custos*), two chaplains, and twenty poor scholars who were to strive to be proficient *in sacra pagina et liberalibus artibus* (Leach, *op. cit.* pp. 164–167).

the time of master R. of York,[1] who still occupies the dignity of chancellor. But the same master R. when he could not conveniently do this himself being compelled as much perhaps by his own accord as by authority of our predecessors arranged from time to time for it to be done by another and since we have been called, the Lord permitting, to the rule of our church aforesaid, has maintained a less fit reader and sometimes he has been so negligent in this matter that for the greater part of the year he has allowed the theological schools to lack such reading altogether and appropriating nevertheless such temporal maintenance as had been provided for the purpose to the peril of his own salvation, to the no little prejudice of the church and the vehement scandal of very many. Since therefore men cannot be borne who expect to grasp rewards but refuse to submit to the burdens we command and enjoin upon you firmly by virtue of obedience that having publicly put forth this edict as is customary you are to warn canonically the aforesaid master R. and effectively persuade him to obtain a fit man for the foregoing who will take his place within the month by reading sacred Scripture as is set out above. Else we cannot and do not propose to make any delay but forthwith carrying out the duty of our office we shall ordain more fully concerning the foregoing as we deem to be expedient for our aforesaid church. And lest by occasion of the decay of the schools which are not yet perhaps altogether repaired an excuse may reasonably be put forward as to the foregoing, by a similar denunciation you will publish

[1] Ralph of York, who was apparently a canon of Salisbury as early as September 8, 1243, when he witnesses a document under that date. His name occurs as chancellor in a visitation of the house of Scholars' Vale in 1296 (*Salisbury Charters and Documents* (Rolls Series), pp. 285, 368).

what we have caused to be provided regarding an adequate house for such lecture. And these things, if the said master R. is not found in person, you shall fully intimate by means of his proctor, if he has sent one, to all his known intimates and friends. And what you will have done and what shall be done on the part of master R. in the foregoing writings and the person or persons to whom these things will have been made known by you after lapse of the said term you will write at once to us here by your letters patent containing this series. Farewell. Given as above.

4. An Assault on a Rector

[Reg. Myllyng (Cantilupe Soc.), p. 107, Sept. 25, 1486.]

On the twenty-fifth day of September in the year of our lord aforesaid there appeared personally at Whitborne before his lordship Thomas Stevyns senior, John Stevyns and Thomas Stevyns, Junior, of the parish of Bosebury, and humbly sought to be absolved from the sentence of excommunication which they deserved for laying violent hands[1] on sir Thomas Bulkyll, chaplain, rector of Munsley, of our diocese, which said reverend father by his authority as ordinary, having first set forth a warning to submit to the law and to be answerable to the commands of the church, absolved them under form of law and enjoined upon them for their crime that they should visit the shrine of St. Thomas, Confessor,[2] at Hereford on the feast of the same next to come in the character of pilgrims, each of them offering the same there. And the said John, Thomas and Thomas were tenants and of the tenantry of the

[1] Violence, as this register shows, was one of the characteristics of the fifteenth century; cf. *Reg.* p. iv.

[2] This would be the shrine of St. Thomas Cantilupe, who was bishop of Hereford A.D. 1275–82 (Stubbs, *Reg. Sac. Angl.* p. 64). His extreme asceticism won for him the reputation of a saint, but it was not until A.D. 1320, after a papal commission of inquiry had visited Hereford, that he was canonized by John XXII (Bannister, *Cathedral Church of Hereford* (S.P.C.K.), p. 70). The offerings at his tomb were so numerous and lavish that during the first thirty years after his death "immense sums" were spent on the fabric of the cathedral church, and the offerings of tapers alone were so numerous that they were valued in the *Taxatio* of 1291 at about £300 of our money, which then formed no small part of the treasurer's income (*op. cit.* pp. 63, 70; and *cf.* esp. Appendix, Note R, which contains an inventory of the offerings). For a copy of an Indulgence offered by the bishop of Worcester to pilgrims to the tomb, *cf.* Capes, *Charters and Records of Hereford Cathedral* (Cantilupe Soc.), p. 153. Canon Capes points out that similar ones were issued by most of the English bishops; *cf.* p. 194 for one from the bishop of Salisbury.

hospital of St. John within the aforesaid parish. These acts were carried out there in the presence of John Shery, chaplain, rector of Tedstone [Delamere], Henry Motone and me Ralph Hayes, notary public by apostolic authority.

5. A Bishop in the Tower

[Reg. Baldock (Cant. & York Soc.), p. 74, A.D. 1308.]

Ralph, etc., to the noble and discreet men the lords R. de Brabazon, W. de Berford and other justiciaries of our lord the illustrious king of England greeting in Him who is the true salvation of all men. For the purpose of demanding and receiving according to ecclesiastical liberties the venerable father the lord Walter de Langeton by the grace of God bishop of Coventry and Lichfield imprisoned in the royal prison of the tower of London, we make and ordain jointly and separately our beloved sons in Christ master R. de Clothale chancellor of our church of London, and the lord Ralph, prior of the church of the Holy Trinity, London, our proctors and attorneys, constituting them or one of them by the tenor of these presents our deputies in the foregoing. Also we make this known to all whom it may concern by these presents strengthened by the application of our seal. Given 9th May, etc.

6. A Bishop Excused Attendance at Parliament

[Reg. Halton (Cant. & York Soc.), vol. ii. p. 225, A.D. 1324.]

To the most excellent prince and lord, his lordship, Edward, by the grace of God the illustrious king of England, John, by pity of the same humble servant of the church of Carlisle, Greeting in Him whom to serve is to reign for ever. Having reverently received and read your royal letters about coming to your Parliament to be held in London in three weeks from the day of the Purification of the blessed Mary, as much on account of the distance of the place as also on account of the high cost of horses and other expenses, the weakness of my aged body and my daily increasing infirmity with which we are now inflicted we are unable to come to the said Parliament for the present, being truly hindered by those previous causes; so that if it pleases you may your royal highness not hold it as wrong or deem it an offence but rather deign kindly to excuse our absence. But for the purpose of appearing and taking part in the said Parliament in our name and on our behalf and for conferring together with the other prelates, chiefs and magnates of your realm in the same and for giving consent to those matters which then and there happen to be ordained unanimously, we have constituted and, by our authority, made our clerks, beloved in Christ Master W. de Kendale, rector of the church of [Great] Salkeld and sir R. Tymparon, rector of the church of Levinton, special proctors of our diocese, holding as ratified and confirmed and being ready so to hold whatsoever our said clerks

or any of them may think fit to do in the foregoing in our name; granting these our letters patent to them confirmed with the fortification of our seal in testimony of the foregoing. Given at Horncastle, Feby. 20th, in the year of grace 1323 and in the 32nd year of our pontificate.

7. Financial Conditions of the Roman Court

[Reg. Cantilupe (Cantilupe Soc.), pp. 273–276, June 16, 1281.]

To our Proctors dwelling at the Roman Court.[1] To master William Burn and John de Buterleye greeting. Although word has passed between us before and an account by letter followed afterwards upon the same matter, *i.e.* of "visiting"[2] each and all of the Cardinals, yet, however, we think after subsequent careful deliberation that the burden of debt and slenderness of the bishopric do not permit this; but, because we understand or rather know, that negotiations move too slowly at Court unless there happen to be visits both in general and in particular, on that account for the expediting of our business we send to you one hundred pounds sterling in sterling or gross of Tours to be received by letters of the merchants of Pistoia. The total of which money though it seems little, can be of use, however, if carefully distributed which in the judgment of certain men can be done in this way: *i.e.* that Sir Hugh, the English Cardinal, may have thirty marks, Sir Gerard, Cardinal, our auditor, ten pounds

[1] This document throws a lurid light on the Roman court and its financial affairs, and it helps to illustrate the burden of debt under which many ecclesiastics, even the most eminent, constantly laboured. As the money had to be found somehow recourse was constantly had to the great Italian bankers who, as Dr. Capes has pointed out (*Reg. Charlton*, p. xxxii), appear by the thirteenth century to have displaced the Jews altogether in the region of international finance, perhaps because the Jews had not the same resources (*cf.* Essay V in *Historical Essays*, ed. Tout and Tait). These bankers were granted powers of excommunication for non-payment of debts and could threaten effectively even an archbishop (*e.g. Reg. Peckham* (Rolls Series), i. 50–51). The reference to the pope is illuminating. The document is sufficient to throw grave doubts upon the supposed advantages of the system of appeals to Rome.

[2] "To visit" was merely a euphemism for the gifts expected by influential personages at Rome from suitors and others. See the editor's note, *Reg.* p. 274.

and his staff five marks. Sir Matthew Ruffus, Cardinal, ten marks, Sir Jordanus, Cardinal, ten marks, the Vice-Chancellor, fifteen pounds, the Auditor of pleas, ten marks, B. of Naples and another notary who is more skilful and in favour with the lord Pope, twenty marks in equal portions; the Chamberlain of the lord Pope ten marks, the guest master of the lord Pope, forty shillings sterling. To some it seems possible to withdraw from the sum set aside for the Vice-chancellor five marks, so that he might have ten marks only; from the two notaries and the Chamberlain of the Pope they can withdraw seven and a half marks so that each one of these shall have only so much. And so there remains from the hundred pounds, $33\frac{1}{2}$ marks.[1] To others it might seem that it would be advisable to consider the Pope, with whom the Archbishop, from whom the appeal is being made, is friendly, in forty or fifty marks, by first withdrawing as many people as were to have received the aforementioned sum of money. But to us it seems that the middle way is more effective and honourable provided that if necessity urges it, the Pope may be considered to some extent which shall give pleasure to him on whom all grace is known to depend. This however which we write about the Pope we do not desire unless in default of this act our case against St. Asaph and our other affairs were obviously in danger. Therefore we would will that you should present forty or fifty marks, or marks' worth of jewels, by means of a new loan rather than you should subtract any part from the aforementioned sum. For the purpose of negotiating which loan we do not send you our private seal because we do not believe that it is

[1] As the editor of this register points out, there appears to be some mistake in the figures.

necessary for us to do this in this case. The merchants of Pistoia, we believe, however, will lend to us for our convenience with our pledge of some kind, such a sum of money. But if it is not possible to procure through them or our other friends for our necessities, then you will deduct from the one hundred pounds as much as you shall deem to be expedient for the work of the Lord; distributing the above mentioned residuum of money amongst the others as it appears to be advantageous for the advance of our cause and our other businesses. In the case against St. Asaph [1] let us hold in the main to the principle of the defendant whose interest it is to postpone the case as long as possible. In the above said cause, however, in which we hold approved the appeal from the Lord Archbishop of Canterbury made lately in legal form, we are unwilling to seek disgraceful and suspicious subterfuges by which we might move the mind of the judge on such things as shall render us suspect in his eyes, or by which danger might threaten us if we are sent back to the former judge; which might by chance be preferred by our adversary. But we desire to avoid the greatest dangers while the cause is at the aforesaid court; providing, however, that our expenses which we have incurred for the purpose of sending a single messenger to obtain a judgment, shall, before he from whom the appeal is made can protest against our appeal, be paid back to us or at least shall be

[1] This was the quarrelsome and litigious Anianus II, who claimed jurisdiction over a group of parishes belonging to the diocese of Hereford. The parties appealed to Rome, but the Pope referred the matter to the archbishop of Canterbury, Pecham. Cantilupe, however, appears to have distrusted the impartiality of Pecham and to have appealed to Rome again. Cantilupe did not live to see the matter settled, but the dispute cost him much worry, anxiety, and money; cf. *Reg.* p. xxxi. Anian, or Anianus, was consecrated at Southwark on October 21, 1268, and occupied the see until 1293, surviving Cantilupe by eleven years (Stubbs, *Reg. Sac. Angl.* p. 63).

claimed with adequate determination; because in this mode of distribution to which, as we have written above, we rather agree, there remains twenty-three and one-half marks for distribution, we will that our lord Cardinal of Spain, to whom we have written, may have ten marks, and sir Benedict, Cardinal, and sir James, Cardinal, or William, Cardinal of Gaul, whichever of these, at the time of this distribution, shall be more friendly to the Lord Pope, and in the promotion of our business shall be able to exert more influence for us, may have ten marks, or else eleven marks. For the rest we leave to your mutual arrangement for one or the other visits, or for any other expenses arising through necessity. But after such distribution we will that our messenger return to us with the utmost speed with your letter containing an account of the matter and the goodwill of the recipients together with other news worth bringing. Because we are (Blessed be the most high) so restored spiritually and improved bodily that our body should suffice in these days for the labours, troubles and duty of our office, we propose about the Feast of St. Michael [1] to return home, the Lord being willing, especially because upon this matter the Lord King has now twice since Easter sent his letter to us. And if you send back one of our messengers to announce to us the certainty of our cause with such speed as is necessary, we shall be able to send back our pleasure by him or another to you from Fontaine, where we shall then be, before our return. We are unwilling perhaps that you should retain even one of our messengers too long a time, since messengers sufficiently reliable and faithful return from the court every day, by whom

[1] September 29.

you can choose to inform us of your business and since you can announce to us the state of the court so far, we return thanks to you. We also sent to you the contents of the letter in which we write, as you requested, informed by which you can speak more cautiously with them. Master Adam de Filibi is about to return to the court at once, as we have heard. In what frame of mind he might be towards us we do not know. If in addition to the distribution and necessary expenses they can pay to master E. de Warefelde four marks for his salary, then by every means it should be so done ; that also might be told to us amongst other things. And because beyond the ten marks which you have received from us and which you have spent in our difficult businesses, you have expended eight shillings sterling and three shillings and one penny of gross of Tours, as we understand by your schedule sent to us, we will well that you make satisfaction for yourselves from the money sent to you, if it can be done to our advantage. If you can distribute the said money to better advantage than is set out in any of the said ways, then do it in the name of the Lord as it will be the more useful to us ; provided that there be some agreement about action of this type. Farewell. Given at Brynum on the 16th June, A.D. 1281.

[Reg., p. 276. Continuation of above.]

Appointment of Proctors for receiving the said money. Be it known to all men that we, Thomas, etc., make and constitute masters William Brun and John de Buterleye our proctors for receiving in our name from Spina and his partners, merchants of Pistoia, dwelling at the Roman court, one hundred pounds sterling and for administering the same

money according as we have laid it down in our orders to the said masters, and for making letters of payment on our behalf to the said merchants; Ratifying, etc. And in this matter, etc. Given as next above.

8. Exorbitant Charges of Unbeneficed Priests

[Reg. Trillek (Cantilupe Soc.), p. 157, A.D. 1350.]

To the Venerable John, etc., bishop of Hereford, Ralph, etc., bishop of London, greeting. We have received the command of that venerable man, Simon, by the grace of God, Archbishop of Canterbury, etc., which by the tenor of these presents we pass on to you: Simon Archbishop, etc., to our venerable brother, Ralph, etc., greeting, etc. The unbridled cupidity of the human race would grow out of the evil innate in it, unless justice by its own virtue crushed its attempts, to such an extent that charity would be banished to the ends of the earth. A very common complaint has brought home to us and that guide of all things, potent experience, shows that the priests who now survive, not considering that they have been preserved by the divine will from the dangers of the recent pestilence [1] for the carrying out of the ministry committed to them on behalf of the people of God and public usefulness, not on account of their merit, nor blushing that their insatiable avarice is wickedly and perniciously held up as a pattern by other workers, even laymen, they do not care about the cure of souls (which is deservedly to be preferred to all other cures by ministers especially ecclesiastical ones, to which when anyone is brought against his will, if he obeys humbly, he is able to boast the greater merit), but they neglect to carry out the cure of souls and to

[1] *I.e.* of course that of the previous year. This canon of Archbishop Islip is presumably the "vaguer" one referred to by Professor Tait in his *Chronica Johannis de Reading et Anonymi Cantuariensis*, p. 301.

support the burdens of their cures by mutual charity, but rather, having altogether left these, they betake themselves to celebrating annuals [1] and doing other exceptional duties, so that they might be able to renew freely their old insolencies, not content with their adequate and accustomed stipends but demand excessive pay for their services so that under this pretext by simple and feeble work they can obtain for themselves greater profits than they could as curates. Whence it will happen that unless their unreasonable appetites be reduced to the rule of equity, then, as much on account of such increase of annuals as because the amount of their stipends is ruled by no standard, many, indeed most churches, prebends and chapels both of our diocese and of yours and of the whole of our province will remain altogether destitute of the service of priests, and, a thing which heaps up griefs for us, curates on account of the same profit will easily turn themselves to similar services altogether neglecting their cures. Willing therefore to restrain with such remedies as are suitable the insatiable desires of such priests on account of the aforesaid dangers and other serious losses which further winking at might add to, we request and exhort your fraternity in the bowels of Jesus, thinking of the peril of souls and the aforesaid causes, that you will make healthful ordinance before everything for the care of each parish church, prebend and chapel on which the cure of souls depends, and according to their need, for better and more suitable chaplains in whosesoever service, other than the curate, they may be found, and not retaining relations and their favourites or themselves in their service contrary to your ordinance; and further

[1] Annual celebrations of mass with special prayers on behalf of him who leaves a sum of money for the purpose.

each one rashly infringing such your ordinance, and even everyone of the chaplains themselves and others of whatever kind and wherever they may be celebrating in your diocese you shall constrain canonically by any ecclesiastical censures to be content with a moderate salary, and if anyone rebellious against you shall think fit to transfer himself to our diocese or to that of another of our brethren, we will and command that to us or to that one of our brethren to whose diocese he has moved, when the whole process has been completed, you will make known in your letter or they in theirs, his name and surname. For we are willing to proceed against those who thus come to our diocese according to your proceedings or that of some other of our brethren, and to carry out the censures brought against them according to our power. These things similarly we require and order to be done and carried out in everything by our brethren each in their own dioceses, that our intention may be made clear to you concerning the amount of salary, we will in our said diocese that the chaplains of a church, prebend or chapel with cure [of souls] be content with his salary of one mark of silver beyond that which was previously the customary pay of the priest ministering in the same cure ; also we will that the salary of any other stipendiary priest be subjected to the common taxation customary in former times. Furthermore we command and enjoin upon you that you inform us distinctly and openly by your more certain letters concerning your deed and with all the circumstances of it in each single article aforesaid this side of the feast of the blessed Virgin Mary,[1] knowing that after the lapse of the aforesaid feast we intend concerning

[1] Presumably September 8, the feast of the Nativity of the Virgin, which was regarded as the *principale festum*.

the appeal of everyone who complains to us about your negligence or that of the other brethren or suffragans to carry out according to the nature of the business and the requirement of the law what is laid upon us by our office in this matter. And this our present mandate we wish to be made known by you to all our brethren and suffragans and that it be enjoined upon them by you that they inform us this side of the feast aforesaid concerning what they shall have done in this matter in letters having this form. Given at Mayfield,[1] 27th May, A.D. 1350, and the first of our consecration.[2] Further we enjoin upon you that you take care clearly and properly to inform the said venerable father concerning all that you will have done in the matter this side the aforesaid feast of the blessed Mary, the Virgin. Given at Stortford, 8th June, in the year of our Lord aforesaid and the eleventh of our consecration.[3]

Before the receipt of the aforesaid mandate we caused the clergy of our diocese to be called together by whose counsel and assent we ordained that every priest both parochial or otherwise shall be content hereafter with moderate stipends, and if we find any rebellious in this respect we shall compel them by ecclesiastical censures to the observance of our ordinance according to the needs of your mandate.[4] Given at Prestbury on the last day of August.

[1] In Sussex. The register spells it Maghfelde. The church there was annexed to the table of the archbishop as early as 1285 and therefore no subsidy was payable upon it; cf. *Ep. Peckham* (R.S.), iii. 910.

[2] Simon Islip was consecrated at St. Paul's on December 30, 1349, and occupied the see of Canterbury until 1366 (Stubbs, *Reg. Sac. Angl.* p. 76).

[3] Ralph Stratford, consecrated by Archbishop John Stratford at Canterbury on March 12, 1340, remained bishop of London until 1354 (Stubbs, *op. cit.* p. 75).

[4] As this evil failed to diminish, Islip issued a further canon in 1362 fixing the salary of stipendiary priests at five marks, or about £30 of modern money. This, according to the chronicler, John of Reading, caused " many to steal and to rob " (Tait, *Chronica, etc.* p. 154).

9. Encroachments of the Laity

[Reg. Trillek (Cantilupe Soc.), p. 271, A.D. 1346.]

To the Venerable John, etc., Ralph, by divine permission bishop of London, greeting, etc. We have received recently the mandate of the Lord John, by the grace of God, Archbishop, containing the following tenor :—John, etc., to our brother, etc. A fire shines forth daily in our thoughts while we see the English Church beset more closely than usual in these later times by the laity's invidious machinations and their natural deceptive intrigues as much against the clergy as against the liberties, rights and privileges of the Church, lacerated by intolerable injustices, and all her rights and liberties on all sides trampled upon. Whence, desiring, as we are bound, the honour of God and of his church to rise up with what might we can to face them for the purpose of correcting and reforming such depraved people as the urgent necessity of the same church compels us, by these aforesaid causes, having previously held great and diligent deliberation with certain of our brethren in this matter, and a representation having earnestly been made by them to us, we decree that all and singular our fellow bishops and brethren ought to be called together quickly. Wherefore we commit to your fraternity and command enjoining firmly that with all possible speed you cite or cause to be cited peremptorily our venerable brethren, fellow bishops elected, confirmed, and suffragan of our said church of Canterbury and the Vicars General of those absent, if there should be any, to appear personally before us or our commissary in the church of St. Paul in London, on the next law

day after the feast of the Invention of the Holy Cross next to come, upon the foregoing and for the reform of these and other urgent affairs of the English Church, which we omit at present to touch more expressly or describe more in detail for certain and necessary reasons, to treat effectively together with us, and to show and weigh their prudent opinions and arguments equally in these matters, and also to be ready to ordain agreeably what should be carried through most usefully to the honour of God, the liberty, safety and convenience of his church and of ecclesiastical persons, and to take further action with continuation and adjournment to the days following such as the nature of the businesses then put forward demands and requires. We warn you therefore, and we will and command that others so cited by you should be warned that those who are absent at the said term, unless they then make a full assurance of some evident or reasonable impediment in this matter before us or our commissary, we shall punish them according to the demands of the law, as disobedient and contumacious as far as we are legally able. You especially my Lord bishop of London, we cite peremptorily by the tenor of these presents to appear personally before us or our commissary on the same day and place to treat about the foregoing, etc. Concerning the day of receiving, etc. Given at Croydon, 22nd Feby., A.D. 1345, and in the thirteenth year of our translation. By authority of which mandate and by the tenor of these presents we cite you to appear personally before the said reverend father, etc. We warn you, moreover, etc. Given at Hadham, 12th March, in the year of our Lord abovesaid. Which mandate we will obey as we are bound with willing spirit, as far as we can. Given at Whitbourne, 29th April, A.D. 1346.

10. A Case of Heresy

[Reg. Gilbert (Cantilupe Soc.), p. 22 foll., August 6, 1382.]

Robert, bishop of London, to the venerable John, etc., greeting. We have lately received the letters of the reverend, etc., William, archbishop of Canterbury, etc., containing the tenor which follows :— William, etc., to Robert, bishop of London, etc. Whereas we appointed for masters [1] Nicholas Hereford and Philip Repingdon canons regular of the monastery of the blessed Mary at Leicester, doctors of sacred theology, being greatly suspected of heretical depravity, appearing before us judicially after certain replies had been made by them inadequately and impertinently, heretically and erroneously about certain heretical and erroneous conclusions preached and taught commonly, generally and publicly in many places of our said province, certain suitable days and places for making and receiving peremptorily in this matter such things as the importance of the business advised, and we excommunicated them as justice demanded on account of their contumacy displayed in not appearing judicially before us on the day and at the place aforesaid we commit and command you that you cause to be denounced the aforesaid Nicholas as having been and being thus excommunicated by us in each church and notable place of your city and diocese when a number of people come together, citing them and causing them thus to be cited peremptorily if they can be apprehended to appear before us, appointing to the

[1] Unlike the word " dominus," " magister " was not so much a title of honour as an indication that the bearer of the designation had been to a university.

same some suitable time personally or through your mandatories whenever it may happen that we shall be in our province of Canterbury at the time, that there may be seen and heard by us proceedings against them and each of them about the said heretical and erroneous conclusions according to the form of annulment usual in this matter and the nature of the business. Furthermore that you enjoin by our authority upon all and singular our suffragans, the bishops of our Province of Canterbury and our fellow-workers by letters patent containing the details of this letter that each of them should cause to be denounced the same Nicholas and Philip through their cities and dioceses in the same way, and that they cite them, or cause them to be cited peremptorily, if they can be apprehended, to appear before us appointing some proper time, etc., to perform what is set out above and to certify us, or he who cites or causes them or either of them to be cited, shall certify us this side of the date fixed in such his letters patent bearing this tenor : We enjoin upon you that concerning the whole of your process you certify us in this business this side of the Feast of the Exaltation of the Holy Cross [1] next to come by your letters patent containing the details of these. Given in our Manor of Otteford on the last day but one of the month of July in the year of our Lord 1382 and in the first year of our translation. By authority of which letters we enjoin upon you by these presents that with all the speed you can you cause the aforesaid Nicholas and Philip to be publicly denounced in your city and diocese and to carry out duly these letters in everything according to the demands and effect of these letters, certifying the

[1] September 14.

aforesaid reverend father at the proper time yet on this side of the feast of the Exaltation of the Holy Cross next to come. Given at the royal manor of Woodstock on the sixth day of the month of August, A.D. 1382, and in the first year of our translation.

11. The Archbishop of Canterbury supports a Crusade on Behalf of the Pope

[Reg. Gilbert (Cantilupe Soc.), pp. 27–30, A.D. 1382.]

Robert, by divine permission bishop of London, to John, etc., greeting, etc. We have recently received the letters of the reverend, etc., William, by the grace of God, Archbishop of Canterbury, etc., containing the tenor which follows: The king of peace, Jesus Christ, about to pass over from this world to the Father, committed the feeding of his sheep to his disciple, Peter, and his successors and commended particularly to all his elect peace and unity, so that by the keeping of temporal peace they may in the unity of the faith attain unto the perfect man and reach eternal peace[1]; and heeding this especially the old enemy of the human race, who by his dissension is able to destroy the peace and universal concord of the nations, has roused as it were by his cunning all the kingdoms of the world to wars and discords, and at length has subverted by his deceptive cunning some pillars of the church, *i.e.* the cardinals Robert, formerly of the basilica of the twelve apostles, commonly called the cardinal of Geneva, John, formerly of the title of St. Marcellus, commonly called the cardinal of Amiens, Gerald, formerly of the title of St. Clement, commonly called the greater monastery, priests, and Peter of damnable memory, formerly deacon of St. Eustace, placed within the maternal womb, to a way of evil and to be a devious snare to the rending of the seamless[2] robe of the

[1] This is an obvious reference to Ephes. iv. 13: "Donec occurramus omnes in unitatem fidei . . . in virum perfectum . . ." (Vulgate).

[2] This word, *inconsutilis*, occurs only once in the Vulgate, in John xix. 23, to which there is clear reference here.

Lord and the unity of Holy Mother Church, to such an extent that after many enormities notoriously perpetrated by the said Robert and others formerly Cardinals in the Roman Church and the Vicar of Christ, the Lord Pope, Urban VI, the aforesaid John Gerald and Peter, formerly Cardinals as aforesaid, descending to the depth of evil by rashly electing the said Robert anti-pope, or rather more truly anti-Christ, have made and have presumed with sacrilegious boldness to name him Pope and Robert himself with rash temerity has not and does not blush to style himself Pope, and although our Lord Pope Urban aforesaid first pleaded with them with prayers and fatherly admonitions, then by the more severe process of the spiritual sword made as much against them as against their accomplices, for their recovery and their healthful reconciliation, these same men however imitating the persistence of Pharaoh, stopping their ears after the manner of vipers, in their puffed up obstinacy despised such prayers, admonitions and processes whence the same our lord pope not being able without grave offence to Christ, whose vice-regent he is on earth, to tolerate any more such schism and such great iniquities, thought to lift up the sword of war against them and their accomplices to drive out schism, his conscience being active, that the plague of wars might destroy those delinquents which ecclesiastical discipline does not recall to the way of rectitude, and, since war is waged in order that peace may be obtained our said lord the pope has committed this as it were a crusade to our venerable brother, Henry, by the Grace of God, bishop of Norwich, against the said schismatics and their supporters, strictly admonishing by apostolic letter that the same our venerable brother, putting on the breastplate of faith and taking the sword of

the spirit which is the word of God,[1] may arise vehemently against the said schismatics and enemies of God and of his holy Church and their supporters and adherents, generously conceding that all and singular the faithful of Christ, who, having assumed the mark of the cross bind themselves to the driving out of the schismatic prelates and to pursue them as far as possible in person and at their own charges and those who fight in their own persons, but at the expense of others, according to their power, following for one year the standard of the church, others further who provide adequate stipends for the purpose according to their resources may have the same indulgence as has been customarily conceded by the apostolic see to those setting out to the help of the Holy Land. And so when our aforesaid brother, as a son of obedience, undertook the burden enjoined upon him according to his outstanding devoutness to carry it through by the bonds of natural affection against the French who are the chief partisans of these same schismatics and the chief enemies of our Lord the King and of his kingdom of England, for the obtaining of peace and also for the safety and defence of the kingdom, prudently observing that peace cannot come to the church nor safety to the kingdom except through the church, and further how meritorious it is to fight for the faith and how beautiful to struggle for the Lord, noting none the less that human prudence ever assails deserving actions unless the virtue of divine favour assists, he has humbly and devotedly asked us to take care to cause faithful people to pray continuously to the Most High for his and their success. We therefore sincerely commending in this matter the laudable

[1] Ephes. vi. 14, 17. The Vulgate has ". . . et induti loricam iustitiæ . . . adsumite : et gladium Spiritus, quod est verbum Dei."

plan and this act of devotion to the Lord of our venerable brother, desiring intensely the successful progress, victorious attack and honourable return of him and of his army in so arduous and necessary a business of the universal church and realm, enjoin upon and command your venerable fraternity that with all the speed of which you are capable you will enjoin upon all and singular our brethren and our fellow bishops and suffragans of the church of Canterbury that each of them in their churches and other churches of their cities and dioceses, having set forth publicly the merits of his task, will effectively warn and persuade or cause to be warned and persuaded their subjects, clerical and lay, that they keep specially commended to God our said venerable brother, himself and his army, and all his adherents and helpers in the foregoing, and also the peace of Christ and the realm, in the solemnities of the mass and by holding public processions and preachings more frequently for that cause and especially on each Wednesday and Friday at least in each church unless reasonable impediments intervene (pouring out humble and assiduous prayers to God for their success) you keep them particularly commended and that you induce your subjects to carry out the aforesaid by all the ways and means of which you are capable and to see that they are induced by others. And that the minds of the faithful may be the more readily excited to works of such great piety we relax mercifully in the Lord to all the faithful who being truly penitent and confessed do the aforesaid or any one of the aforesaid as often as they shall do it, forty days from the penances enjoined upon them, and we seek for similar indulgences to be given by you and our other brethren. Given at our manor of Otteford on the

tenth day of the month of April, A.D. 1333 and in the second year of our translation. By authority of which letters we command, enjoining firmly upon you with whatever reverence is due, that you order or cause effectually to be ordered according to the form and tenor of them full execution of all and singular contained in the foregoing, so far as they concern you, your city and diocese or other persons of the same. Given at our manor of Wykham, 17 April as above.

12. No Bribes for the Papal Court

[Reg. Charlton (Cantilupe Soc.), p. 46, A.D. 1330.]

To all who shall inspect these letters, Gasbertus by divine permission archbishop of Arles, chamberlain of the lord pope, health in the Lord. Be it known to you all by the tenor of these presents that since the venerable father, Thomas, etc., is bound to visit the apostolic see every three years, the court being this side of the mountains, he has visited that seat with due devotion for the period of the last three years now completed by the discreet man, master Richard de Thornestone, clerk, his proctor specially appointed for this purpose. Nevertheless the same proctor has offered or promised nothing in the name of such visitation. In [witness] of which matter, etc. Given at Avignon, on the sixth day of October, A.D. 1330, and in the fifteenth year of the pontificate of our most holy father and lord, by divine providence, the lord pope John XXII.

13. A Royal Letter

[Reg. Charlton (Cantilupe Soc.), p. 33, A.D. 1334.]

Edward, by the grace of God, king of England, lord of Ireland and duke of Aquitaine, to the venerable father in Christ and, by the same grace, bishop of Hereford, greeting. Whereas amongst other things incumbent upon us for the government of our kingdom we are particularly desirous that our peace may be firmly and inviolably kept in the said kingdom, and that common malefactors and disturbers of our peace and that of the said church, felons and maintainers of felons, plotters of felonies, perjurers and those who bring forward false pleas and their maintainers be punished according to their faults, we most certainly believe and hope that for the peace of the said church, which cannot exist without the peace of the kingdom, you seek the same thing and are willing to strive for it as you are bound, at the instance of the commons of the said kingdom by their petition in our Parliament last called together at York, asking that concerning all such malefactors, disturbers of the peace of the church and that of ourselves, felons, maintainers of such, and others, who give great occasion for disturbances and violation of the peace in the said kingdom, we may be willing to ordain according as we deem it the more expedient for the said church, ourselves and our people of the said kingdom, therefore with your consent and that of all other prelates, lords, magnates and commons aforesaid gathered together in the said Parliament it has been unanimously ordained and agreed that the justices of both benches, the justices

deputed for holding the Assizes and the justices to be deputed by us in every county of the said kingdom to inquire about the different felons and felonies, transgressors and transgressions by virtue of the consent and agreement of the said people, shall have full power to inquire, etc., about such malefactors, etc., both at our suits and at the suits of others. Since therefore God, the author and lover of peace, is not rightly served except in a time of peace, which peace and honour of the said church we hope the more quickly to procure by the foregoing, if such malicious men be restrained by ecclesiastical censure as was unanimously agreed in the said Parliament by you and other prelates and others of our kingdom, we require and ask you that against all and singular such malefactors, etc., on each Sunday and double festival every year, in your cathedral church and in all collegiate and parish churches in your diocese you shall cause the sentence of major excommunication to be canonically and solemnly proclaimed and that you cause to be solemnly proclaimed as excommunicated both those who are so excommunicated and those who shall by a similar chance fall into that sentence of major excommunication promulgated by the holy fathers and shall cause proceedings to be taken against them according to the canonical sanctions. Witness my hand at Gloucester, 16th March, and in the eighth year of our reign.

14. A Receipt for Peter's Pence

[Reg. Charlton (Cant. & York Soc.), p. 43, A.D. 1330.]

Be it known to all that we Itherius de Concoreto, canon of Salisbury, Nuncio in England of our lord pope and of the apostolic see and collector of all the debts of our said lord pope and of the Roman church in England, have received from the reverend father, the lord Thomas, etc., twelve pounds sterling in which he is bound to the same lord, etc., by reason of the pence of the blessed Peter due to our lord through him for the bishopric of Hereford for the year A.D. 1328–29, *i.e.* for the year 1328 six pounds and for the year 1329 the other six pounds. In witness of which matter, etc. Given at London, 27th Feby., A.D. 1329.

15. Appointment of a Warden for the Fabric of Old St. Paul's

[Reg. Baldock (Cant. & York Soc.), p. 74, A.D. 1308.]

Appointment for the old work of St. Paul's.—Ralph, etc. We by these presents commit to you the care and custody of the old fabric of our church of London, and all the rents and revenues of whatever kind, temporal or spiritual, belonging to the same fabric or such as can be lawfully acquired in any way by your industry, to your discretion, for the remission of your sins and under due oath proffered by you before us and also under invocation of divine justice, firmly enjoining that you shall so prudently, diligently and faithfully cause the said rents to be collected and repairs to be carried out in the said ancient fabric according to your power at opportune times, that besides the reward of human praise you may be able to obtain the prize of eternal glory. Wherefore we, desiring to excite the devoted minds of the faithful for the assistance of the said old fabric by the enticing rewards of indulgences, by these presents concede to all our subjects and to others (whose Diocesans hold our indulgences valid), truly repenting and confessing their sins, who shall stretch out helping hands to the support and repair of the said ancient fabric according to their capacities, forty days' indulgence, ratifying moreover all other indulgences hitherto conceded for this purpose. We intimate these things severally to all whom it concerns. Given at Stepney, 27th July, A.D. 1308.

16. (*a*) A Bishop borrows a Bible

[Reg. Pontissara (Cant. & York Soc.), p. 712, A.D. 1299.]

Another letter in which the same lord bishop is bound to the aforesaid prior and convent for a certain bible in two volumes well glossed.

To all the faithful of Christ who shall see or hear the present letters John by the grace of God, bishop of Winchester, greeting in the Lord. Be it known that we have received as a kindness from our beloved sons . . . the prior and convent of our church of Winchester one Bible in two volumes well glossed which belonged for some time to Sir Nicholas[1] of pious memory, bishop of Winchester, our predecessor, to be read, held and kept by us for ever or so long as it pleases us. We bind ourselves by these presents to make restoration of it to them faithfully and without deceit; and if in our life we do not restore it we bind our executors and all our goods movable and immovable, ecclesiastical and secular by coercion and restraint by any ecclesiastical and civil judges whom the aforesaid . . . Prior and convent shall think fit to choose, as they may be able to compel the same executors by every form of distraint until the said bible shall have been restored to the said sons and brethren. In [witness] of which matter, etc. Given as next above. [Wolvesey, 27 April, 1299.]

[1] *I.e.* Nicolas of Ely, who was consecrated at Canterbury by Archbishop Boniface on September 19, 1266, as bishop of Worcester. He was translated to Winchester in 1268, where he remained until his death on February 12, 1280 (Stubbs, *Reg. Sac. Angl.* p. 63). Pontissara was consecrated at Civita Vecchia in June 1282, the long interval between that date and February 1280 being accounted for by the disputes arising out of the rejection by the Pope of two successive nominees of the chapter, one of them because he refused to bribe the cardinals (*Reg. Pontissara*, vol. i. pp. iii, iv).

16. (*b*) A Bishop borrows Money

[Reg. Orleton (Cantilupe Soc.), p. 64, A.D. 1318.]

Bond of his lordship.—As a reminder that on the third day of the month of March his lordship bound himself to John de Burford, citizen of London, in £18 13*s*. 9*d*. of money received from the same as a loan to be paid to him at London or to his appointed attorney within a fortnight of Easter next to come.

17. A Licence for Holding an Assize

[Reg. de Gandavo (Cant. & York Soc.), p. 5, A.D. 1297–98.]

Licence granted to the Justices of the lord the king to hold an Assize.—Simon by divine permission bishop of Salisbury to the prudent and discreet men and our beloved friends in Christ, Sir Peter Malore and Roger de Heyham justices of our lord, the lord Edward by the grace of God illustrious king of England, greeting and the grace of the Saviour with benediction. We concede to you by the tenor of these presents so far as in us lies full power that, this side of Easter Sunday next at the coming Assize of Novel Disseisin,[1] which the beloved son Sir John Tregott knight has arraigned in the court of the lord the king, as it is said, against Ralph Pyford, Gilbert de Bosco, William de Waleys and Nicholas le Turnur, you may have the power to decide legally between the parties themselves doing justice to each this coming time of Lent notwithstanding the interdict of any canon. Provided, however, that such our permission obtained for certain present causes shall not in consequence be prolonged to any future occasions. Farewell. Given at Ramesbury, 5th March, A.D. 1297.

[1] This assize, which probably dates from the Council of Clarendon, held in 1166, gave protection for the first time to the possession of land apart from mere ownership. It proved itself to be "one of the most important laws ever issued in England," and was an assize of summary action in that there was no delay once the assize was opened; *cf.* Pollock and Maitland, *Hist. of Eng. Law*, ii. 47 foll. It was very popular since it spared "neither great nor small, but like all other actions of this date it offered no protection in the king's court to the villein, the unfree, in his tenure of the land he tilled." "The elimination of the essoins [*i.e.* excuses] and the warrantors meant that the only delay was that which occurred between the disseisin and the appearance of the judges" (*The Earliest Lincolnshire Assize Rolls* (Linc. Rec. Soc.), ed. D. M. Stenton, pp. lxxvi–lxxvii).

18. An Appeal to Rome

[Rot. H. de Welles (Cant. & York Soc.), vol. ii. p. 204, A.D. 1223.]

To his most excellent lordship, Henry by the grace of God illustrious king of England, lord of Ireland, duke of Normandy, Aquitaine and Count of Anjou, his devoted Hugh, by divine pity humble servant of the church of Lincoln, humble greeting and due and devoted reverence with sincere love. We have received the letters of your highness by which you have signified to us that we should find out the truth if matrimony was contracted between Hugh de Chastillun and the woman Gunnora de Bray. We therefore preserving in everything the order of law since it has been sufficiently established by us concerning the intention of the said Gunnora, have pronounced sentence that matrimony was legitimately contracted between Gunnora herself and the said Hugh; but from that sentence Hugh de Castillun forthwith appealed to the lord pope. And we signify this to your excellency by these our letters. Given by the hand of John de Tanton, chaplain, at Banbury 18th Nov. in the fourteenth year of our Pontificate.

19. (*a*) An Indulgence for Repairing a Bridge

[Reg. Spofford (Cantilupe Soc.), p. 35, A.D. 1423.]

Letter of indulgence on behalf of the bridge of Bransford.[1]

To all, etc., Thomas, etc. We have always thought that we are offering acceptable and holy service to God as often as by attractive gifts of indulgence we rouse the minds of the faithful more readily to works of piety and charity. Therefore by the great mercy of God Almighty and confiding in the merits and prayers of the blessed virgin Mary, his mother, of the Apostles Peter and Paul, of Ethelbert, etc., and Thomas, etc., we have conceded by these presents for the space of two years forty days' indulgence to all our subjects and any others who shall contribute or bequeathe any gift of charity, etc., for the repair of the bridge [2] of Bransford in the county of Worcester. Given at Whitbourne [3] on the 4th day of October, A.D. 1423.

19. (*b*) An Indulgence for Repairing the Highway

[Reg. Lacy (Cantilupe Soc.), p. 63, A.D. 1419.]

Also on the eighteenth day of April and in the third year of our consecration an indulgence of forty days was granted to all, etc., contributing to the repair of the highway [*vie regie*] called Alvynglake, of the diocese of Hereford, to stand for one year only.

[1] See note on p. 235 below.

[2] This was presumably over the river Teme.

[3] Whitbourne was one of the bishop's manors and was situated about seven miles from Bransford, a township originally in the Pershore Hundred ; cf. *Eng. Place-Name Soc. Publications*, iv. 189.

20. Cancelling the Bull *Clericis laicos*

[Reg. Swinfield (Cantilupe Soc.), p. 426, A.D. 1305.]

The revocation of the Constitution of Pope Boniface VIII which begins *Clericis laicos*, by Pope Clement V. —Clement, etc., for the continual remembrance of the matter, the care of pastoral solicitude compels us to watch over all nations of Christian people, to avert by remedies the dangers of our subjects and to remove scandals. Therefore since from the constitution of Pope Boniface VIII of happy memory, our predecessor, beginning *Clericis laicos* and on account of the declaration or declarations arising out of it afterwards, some scandals, great dangers and grievous difficulties have resulted, and it is presumed to be likely that more will follow unless help is brought by a speedy remedy; we by the advice of our brethren altogether revoke the constitution and declaration or declarations aforesaid and whatsoever followed from them or on account of them, and we will that they be held as unmade, willing and firmly resolving that this be observed inviolate against any laymen demanding or extorting from churches and ecclesiastical persons tallages or collections or any kind of exactions, and against those giving them counsel, help or favour to the doing of it or to the offering of subventions to the laity by prelates of the churches and other ecclesiastical men, which is strictly and healthfully provided for concerning the matters by our predecessors in the Lateran and in general council which we command to be observed under authority of divine justice. To no one therefore, etc.

21. A Dean in Trouble

[Reg. Swinfield (Cant. & York Soc.), p. 457, A.D. 1310.]

Certificate touching the Dean of Hereford.—To the reverend, etc., Robert, Archbishop of Canterbury, etc., Richard, etc. We have already received in reverent manner the letter of your reverend fraternity containing the tenor as now follows :—Robert, etc., to Richard, etc. You know that it has come to our hearing that master John de Aquablanca [1] who acts as dean of your church of Hereford, thriving upon the deanery of that church and the fruits arising out of the spiritual jurisdiction of the deanery, has actually handed over to and leased out to farm the prebend of Bollinghope, and a portion or part of the parish church of Ledbury, which he holds in the churches of Hereford and Ledbury, to master Aymo de Jovenzano canon of Anjou, contrary to the sacred constitutions and provincial statutes and the statutes of the legate of the apostolic see in England, as we see are contained in the letters patent signed with the seal of master John himself and of the official court of Paris, as appears on the face of it. Wherefore we command your fraternity that you take care to correct effectually the said excess, according to the form of the aforesaid constitutions and statutes this side the feast of the translation of the blessed Thomas, the martyr, next to come. Else you shall cite or cause to be cited peremptorily master John

[1] When Peter de Aquablanca, a Burgundian, became bishop of Hereford the diocese, as Canon Bannister puts it, " was overrun by the Aquablanca clan." This led to endless quarrels, with their inevitable medieval accompaniment of appeals to Rome involving immense expense and endless delay. Dean John de Aquablanca was deposed by a decree of Canterbury, but appealed to Rome, where the case lasted twelve years. For the whole case, *cf.* Bannister, *The Cathedral Church of Hereford* (S.P.C.K.), Note K.

himself to appear before us on the next law day after the feast of the blessed James the Apostle, wheresoever, etc., to submit to justice in the foregoing, etc. And that in the foregoing, etc. Given at Lambeth, June 3rd, A.D. 1310. Whence we proceeding by diocesan authority officially against master John, etc., we cause the same to be peremptorily summoned on a certain day and place to answer before us and submit to law concerning the charges to be brought against him and more fully expressed in your letter. When personally set in our presence he plainly and of his own accord and in judicial form confessed to the charges aforesaid contained in your letter and brought against him by us, and when we having followed up the aforesaid confession of him, punished and corrected him for the excess of such great temerity in consequence of such his confession, on the advice of the legal experts (*jurisperitorum*) sitting in counsel with us according to the sacred constitutions and provincial statutes, inflicting upon him as justice advised the penalties mentioned in the said constitutions and statutes. Given at Bosbury, 3rd July, in the year aforesaid.

22. Drinking Clubs Forbidden

[Reg. Trillek (Cantilupe Soc.), p. 224, A.D. 1354.]

John, etc., to the Vicar of Newland, etc. Since all and singular the foresters, bedels or others holding office by which they are able to do injury to people, are prohibited from forming drinking clubs,[1] vulgarly called scotals, gathering sheaves or making any other collections, as is contained more fully in the charter of the lord the king concerning the forest issued about this matter, against the violation of which charter and against all who come or do contrary to it, the sentence of major excommunication has been promulgated by the Holy Fathers and still is promulgated by his lordship, some however of your parishioners, so we understand, of whose names we are ignorant, running rashly against such prohibition have not hesitated to form such drinking clubs publicly in your parish, thereby damnably incurring the aforesaid sentence of major excommunication levelled against the violators of the said charter as has been set out before. Wherefore we order you, firmly commanding you in virtue of holy obedience that on Sundays and Festivals, etc., you will publicly and solemnly denounce in general, or cause to be denounced in similar form by others, all and singular the delinquents in the foregoing

[1] These drinking clubs must not be confused with what were called "church ales," which were a well understood feature of medieval life in many places. They were usually held in the church house or other convenient place once a year, and formed a suitable occasion for much conviviality. They continued down to the seventeenth century, when they were strongly opposed by the ecclesiastical authorities. For a good account of church ales, cf. *Hist. Teachers' Miscellany*, iv. 4.

who either have been so delinquent or shall be so in the future. Inquiring nevertheless the names of such delinquents concerning whom it is your duty to cite or cause to be cited peremptorily to appear before us, etc. And what you will do or find in the foregoing, etc.

23. The Inclusion of an Anchoress

[Reg. Mascall (Cantilupe Soc.), p. 76, A.D. 1411.]

Robert, etc., to master John Hereford, Archdeacon of Shropshire our canon and brother of Hereford and our official, greeting, etc. Since our beloved daughter in Christ, Margaret Shardlowe, moved as we believe by the Holy Spirit, in order that she may serve God more freely, and more securely keep herself spotless from the sins and miseries of this world, desires to be enclosed by us in legal form in a separate house from the communion of mankind, and because being hitherto occupied elsewhere we have been unable to pay attention to the foregoing, therefore, for the examination in legal form of the [said [1]] Margaret with that solemnity which is demanded in this matter by law and custom, we appoint you in whose fidelity [and industry we have full confidence] our deputies. Given as above. [21st Oct.]

[1] Reading *istam* for *ictam*.

24. Difficulty in Collecting a Tenth

[Reg. de Orleton (Cant. Soc.), p. 55, A.D. 1317.]

Certificate of the mandate addressed in another part of this folio to the religious men the Abbot and convent of Wigmore.—To the reverend father and lord in Christ, the lord Adam, etc., to his humble and devoted sons, brother Philip, by divine permission Abbot of Wigmore and the convent of the same place, greeting. We received your mandate containing the following tenor on the feast of St. Thomas the Martyr, with all reverence: Adam, etc. Therefore having inspected and understood the tenor of your letters, being pierced to the quick with many shafts of grief and fear, we notify to your holy fraternity that we have shown in this matter all the diligence and speed which we in any way could concerning the raising and collection of the said tenth, since however many subject to our commands have not yet taken the trouble to pay such their tithes, wherefore regarding the collection of the same we have in hand thirty pounds and now from the daily collection ten pounds. And there remains £114 2*s.* 11½*d.* of the arrears of that tenth for the whole Archdeaconry of Shropshire not yet raised, which money, however, we will take care to raise with all the speed of which we are capable, the grace of the Saviour helping us. May the Most High preserve your holy paternity for ever unharmed for the rule of his holy church. In testimony of which matter, etc. Given in our chapter, the Friday next before the Feast of the Circumcision of our Lord, [Jany. 1st,] 1317.

25. A Penalty Imposed upon Parishioners

[Reg. de Halton (Cant. & York Soc.), vol. i. p. 240, A.D. 1306.]

Bishop, etc., to our beloved son in Christ, priest of the parish church of Ousby, greeting, etc. We commit to you under debt of obedience and command you that you will warn all and singular your parishioners and effectively persuade them that they do not omit to make satisfaction to us on this side of the coming feast of St. Lucy the Virgin concerning the forty shillings imposed and appointed as a penalty on account of the faults touching them discovered in our visitation and not put right within the term fixed for them. Otherwise from now until such time as they make satisfaction to us concerning the said money as they are bound, you will suspend twelve of the better men of the said parish from entering church and strike them down with the sentence of major excommunication if their rebellion so demands. And what you will have done in the foregoing you will take care to certify us this side the coming feast of Christmas distinctly and openly by your letters patent, containing the details of these. Given at Linstock, 15th Nov., the fifteenth year of our pontificate.

26. An Act of Kindness

[Reg. Stanbury (Cantilupe Soc.), p. 89, A.D. 1464.]

On the twenty-seventh day of the month aforesaid his lordship granted forty days indulgence to all the faithful, concerning their sins, etc., who may have brought the support of charity to the maintenance, help and relief of Giles Kirkevey and Richard his son, who have suffered loss of their goods, possessions and resources through fire, irrecoverable unless they be succoured by the alms of the faithful, the foregoing indulgence to last for one year only from the day of the grant.

ADDITIONAL NOTES

A. Excommunication.
B. Absentee Rectors.
C. Collegiate Churches.
D. Friars Preachers.
E. Private Chapels and Chaplains.
F. Monastic Schools.
G. Pilgrimages.
H. Violence in the Middle Ages.
I. The Repair of Roads and Bridges.
J. Anchoresses and Recluses.
K. Payment of Tithes.

ADDITIONAL NOTE A

[*Cf.* Sect. II, No. 7.]

The most general form of ecclesiastical punishment down to the sixteenth century was excommunication, or the cutting off of an offender from the Church. Originally reserved for special occasions and more serious crimes, its use gradually became extended until it embraced the most trivial cases, and even, apparently, the animal creation![1] There were two forms—the greater excommunication, involving complete exclusion from the Church, and the lesser, which only excluded the offender from the services and sacraments.[2] A general form of excommunication, accompanied by "bell, book and candle," was promulgated in parish churches several times a year against various kinds of evildoers, and particularly those who neglected to pay their tithes. Sometimes a threat of excommunication was issued against wrongdoers in the hope that they would make reparation or restitution. An example of the rather trivial uses to which excommunication could be put is provided by the way in which Bishop William of Wykeham excommunicated certain offenders who, "with their machines, nets, snares, dogs, bows, arrows, and other mysteries (*misteries*) framed for the catching of rabbits, have taken, abstracted, etc. . . . to the great peril of their souls, rabbits and other wild beasts [*sic*] out of the bishop's parks, etc"[3] A form of the general excommunication usually proclaimed in parish churches will be found at the end of Myrc's "Instructions for Parish Priests"[4]; the details are amazingly comprehensive.

[1] *Cf.* the very interesting case given in *Hist. Teachers' Miscellany*, vol. iii. No. 1, pp. 2–4, and the discussion there based on the *De excommunicatione Animalium Insectorum* of Chassenée, a sixteenth-century legalist.

[2] For a concise study of this and cognate subjects, *cf.* the article on Canon Law by Professor Gabrielle le Bras in *The Legacy of the Middle Ages*; cf. *Camb. Med. Hist.* vol. v.

[3] *V.C.H. Surrey*, ii. 16, from *Reg. Wykeham*, April 10, 1374.

[4] Pp. 66–67 (E.E.T.S.).

ADDITIONAL NOTE B

It was by no means unusual for a medieval bishop to grant leave of absence to rectors and, occasionally, vicars,[1] for various purposes and for varying periods up to as long as seven years, and even indefinitely. One of the most usual and, to modern ideas, most defensible of these was leave of absence for study at a university either at home or abroad. Bishop Trillek of Hereford during a period of fifteen years granted sixty-six dispensations for absence, of which eighteen were for study. It is also noteworthy that thirteen of the remaining dispensations were for attendance on lay people, usually of some distinction, as, for example, the rector of Worthys, Richard de Stafford, who was granted leave of absence for three years to attend, appropriately, on the earl of Stafford.[2] In the case of those still in minor orders the proviso is often added that they are to proceed to other orders within a stated time. Occasionally the licensee was granted permission to put his benefice to farm, but such a procedure often led to abuses. For a fuller discussion, with other examples, see E. H. Pearce, "Thomas de Cobham," pp. 101–105, who points out that the bishops appear to have had no means of finding out whether the rector really diligently pursued his studies or merely enjoyed a holiday, hence perhaps the significant little addition *et addiscat* inserted by Bishop Hugh de Welles in his rolls recording the institution of the rector of Oundle.[3]

ADDITIONAL NOTE C

The extracts on p. 137 referring to the founding of the collegiate church of Wingham will serve to illustrate very clearly one interesting and characteristic medieval institution. The collegiate church, presided over by a provost and served by a body of canons, was quite a familiar feature of medieval times, but it differed considerably from a monastic house, with which superficially it might seem to have many affinities. A monastery consisted of a number of men bound by the strictest rules of poverty, chastity, and obedience. They shared a common dormitory, a common table, and lived a life nominally of rigid seclusion. They were as a community inevitably self-centred. They were not directly concerned with the spiritual welfare of those outside their walls. Their two main functions were to labour and to pray and to perform such other duties as were stipulated by their Rule or necessitated by the exigencies of communal life. Originally they were laymen, though the custom soon arose for monks to take Orders. The canons of a collegiate church differed in several important respects from the members of a monastic

[1] Out of the sixty-six cases in the register of Trillek only one apparently concerns a vicar.

[2] *Reg. Trillek*, p. 397.

[3] *Rot. H. de Welles*, ii. 115. Sometimes no limit is specified, but the clause inserted *quamdiu domino Episcopo placiunt.*

house. They were to be in Orders, as we shall see in the case of Wingham, either as priests, deacons, or sub-deacons, though in some cases, as at Beverley Minster,[1] they all had to be priests. They each had their own prebend, which was their source of income, and were only bound by those rules of celibacy and canonical obedience which rested upon all medieval clergy. Their main duty was to serve a particular church according to the statutes of their foundation and for the benefit of the parish in which they were situated. The similarity of this kind of institution with a religious house lies in the fact that they shared a common church and were bound by common statutes; otherwise they were radically different and made an equally distinctive contribution to the religious life of their time. They were essentially secular [2] foundations, and were of very early origin. The first occurrence of the term "canons" in England is, according to Stubbs,[3] as early as 878, but this is in a document of foreign origin; its first appearance in an undoubtedly English connexion is in the laws of King Ethelbert [4] dated some time after 1008.[5] The term came into general use after the Norman Conquest, particularly in connexion with cathedrals of secular and not monastic origin, such as York, Lincoln, and Salisbury.[6] Two other terms occurring in the document demand some explanation.

One of these is the word provost (*præpositus*, *propositus*), which is really a foreign term occurring in connexion with similar institutions of seculars abroad, usually with the significance of bursar. Its appearance in England is not frequent, though the actual word is used quite early by Gregory in a letter to Augustine, with, however, the sense of "prior." [7] The provost was not a particularly important member of a chapter in some cases, but his duties were always both responsible and onerous, for his main task was to supervise the estates of the community and to manage its affairs. At Beverley Minster, where a provost appears to have been in existence from quite early times, he had no authority in the chapter except by virtue of his canonry and as a holder of a prebendal stall.[8]

The other term requiring explanation is "prebend," a word still in use to-day. Prebends were manors, portions of land or even cash payments allotted to each canon for his support. "The prebend (*præbenda*) was the 'provender' of a canon," [9] and the income varied considerably in value. This procedure was followed with little variation in secular cathedrals and other collegiate

[1] *Beverley Chapter Act Book* (Surtees Soc.), ed. A. F. Leach, p. xlix.
[2] *I.e.* in the medieval sense as opposed to religious (or monastic).
[3] Haddan and Stubbs, *Councils, etc.* iii. 446, 450.
[4] Armitage Robinson, *The Times of St. Dunstan*, Additional Note C, where v. 2 should read v. 4; and cf. *St. Oswald and the Church of Worcester*, p. 13.
[5] Robertson, *The Laws of the Kings of England*, p. 49.
[6] Armitage Robinson, *Somerset Historical Essays*, p. 77.
[7] Bede, *Historia Ecclesiastica* (ed. Plummer), vol. i. Introd. pp. xxviii–xxix.
[8] Leach, *Beverley Chapter Act Book* (Surtees Soc.), p. xxxvii. foll.
[9] A. Hamilton Thompson, *Cathedral Churches of England* (S.P.C.K.), p. 20.

churches. A canon was such by virtue of his seat in choir, but he was a prebend of the prebendary which give him the necessary financial or other support. In addition to the separate prebends attached to canonries, there was usually a common fund which in some cases came into existence before the separate prebends out of which several canons could be maintained. This was probably the case at Southwell.[1] The prebends usually consisted of a parish with a house attached, as well as a residence near the collegiate church. The canon in consequence had a double duty to perform. He had to share in the common life of the collegiate church and he had also to perform the duties of the rector of the parish which formed the prebend. The latter duty was often performed by a deputy generally known as a vicar-parochial, and if, as was not uncommon, the former duty was performed by a deputy as well, the substitute was generally known as a vicar-choral. This constant performance of duties by deputy seems to have been one of the most serious abuses of the collegiate system and was prevalent almost from the first.[2]

One other characteristic of collegiate churches must be noted which formed indeed one of their most essential functions. Practically every collegiate church kept a school and maintained a master. It was in this way that the educational necessities of their districts were met, as also was the case with cathedral churches, and from these have sprung some of our most famous public schools.[3]

ADDITIONAL NOTE D

[Note to Reg. Swinfield, p. 300.]

The Carmelite Friars claim to have arisen from the hermits of Mount Carmel and to have been founded by Elijah. As an order of friars they only date from the thirteenth century, when they were sanctioned by Honorius III. They were known as the White Friars from the colour of their habit. The order was not so popular as the Franciscans or Dominicans, never possessing more than forty houses in England. In the late Middle Ages the friars were in great demand as confessors as well as preachers, but this aroused the enmity both of the old religious houses and of the parish priests. Matthew Paris complains (*sub ann.* A.D. 1235) that the friars were accustomed to come into the territory of a monastery under the pretence of preaching and then seized the opportunity to say mass and hear confessions. They were encouraged by their superiors as well as by some distinguished bishops ("Chron. of Eccleston," ch. xii), who included them

[1] Leach, *Visitations and Memorials of Southwell Minster* (Camden Soc.), p. xxiv. Abroad, at Chartres, there were as many as seventy-six prebendaries, while at Bayeaux there were so many that the creation of new ones had to stop as the "Commons" would scarcely go round. At Rouen the change to separate prebends occurred about A.D. 950; *cf.* Canon Bannister, *Church Quarterly Review*, April 1927.

[2] *Op. cit.* pp. xxiv, xliii.

[3] *E.g.* Shrewsbury school.

as confessors in their household. This was notably the case with Bishop Grosseteste, their friend and protector at Oxford. The whole subject of medieval preaching has been carefully dealt with by Dr. G. R. Owst in his "Preaching in Medieval England" (Cambridge University Press), with particular reference to the friars. Bishop Pontissara, in his Synodal Statutes (*c.* 1295), gives a general permission to the Franciscans and Dominicans to hear confessions and enjoin penances in the diocese so long as the faithful first obtain the priest's leave and the accustomed dues to the parish church are paid ("Reg. Pontissara," i. 222). The Carmelites possessed thirty-eight houses in England; *cf.* Miss Rose Graham's account in "Medieval England," ed. H. W. C. Davis, p. 388.

ADDITIONAL NOTE E

Most medieval castles had their own chapels, of which many splendid examples remain, as at Windsor and Ludlow. These enabled the occupants to be independent of the parish church, at least in cases of necessity. In course of time the custom of building private chapels spread to the manor-houses, so that by the fourteenth century we constantly find licences being granted for the purpose. Such chapels could be built without the special permission of the bishop, but when it was desired to celebrate mass an episcopal licence was necessary, partly, no doubt, to safeguard the rights of the parish church, whose privileges might otherwise be infringed. As an indication of the frequency with which these licences were sometimes granted, it may be noted that Bishop Trillek of Hereford granted four such licences in November 1346, and twelve between January 6 and February 12, 1347—a total of sixteen for three months.[1] Sometimes the reason for the licensing of a private chapel is stated, as in the case of the grant of Bishop Pontissara of Winchester to Ralph de la Kalenge on September 25, 1301,[2] which he made owing to the distance intervening between the church of West Wycombe and his manor of Wydindon, and the danger and peril arising therefrom. Sometimes a clause is placed in the licence guaranteeing the rights and, particularly, the offerings due to the parish church. When Bishop Charlton of Hereford granted such a licence to Sir Richard de la Bere [3] he stipulated that he should attend his parish church whenever he conveniently could do so in order that by such attendance he would not detract from the rights of that church.[4] Such licences only become common in episcopal registers after the beginning of the fourteenth century. The custom appears to have grown in popularity. Sir John de Stonor, in the middle of the fifteenth century, had a splendid chapel attached to his manor-house with accommodation for no less than six chaplains.[5]

[1] *Reg.* pp. 97–104. [2] *Reg.* pp. 116–117. [3] *Reg.* p. 3.
[4] A common phrase is *absque matricis ecclesie et juris alieni prejudicio.*
[5] *The Stonor Letters and Papers*, ed. C. L. Kingsford (Camden Soc.), pp. xii, 146, 147.

ADDITIONAL NOTE F

The extract on p. 161, which has been summarised by Dr. A. F. Leach,[1] illustrates the responsibility of the chancellor of a cathedral [2] to appoint and otherwise supervise the cathedral grammar school. Originally his title appears to have been schoolmaster, but later the term chancellor displaced it. This usage only prevailed in cathedrals with secular chapters; in the case of monastic cathedrals, such as Canterbury or Winchester, the appointment of the schoolmaster remained in the hands of the bishop.[3] As early as the Lateran Council of 1179 it was enacted that "A Cathedral Church ought to provide a master with a benefice, that he may teach the clerks of the church and other poor persons gratis," [4] and that nothing should be exacted for a licence to teach. Again in 1215 this was re-enacted and it was expressly stated that "In every Cathedral or other church of sufficient means, a master ought to be elected by the prelate or chapter." [5] Grammar schools were not limited to cathedral towns, however; they invariably formed part of the recognised establishment of a collegiate church, and doubtless existed in other towns as well. Very rarely they were administered by a monastery, who appointed the schoolmaster, but otherwise left the school severely alone. Apart from the training of young monks, the novices, education was no part of a monk's business and was contrary to the Rule. Modern research has disposed of the view that English education in the Middle Ages was largely in the hands of the monks. Sometimes, of course, the abbots of the greater houses included the sons of nobles in their households, where they could learn the elements of gentility, but this would not apply to the many smaller houses. Girls of the upper and wealthy classes were occasionally educated in nunneries, but on no very great scale, and then only in opposition to, or with the connivance of, ecclesiastical authority.[6] In early times, of course, the sons of villeins were not encouraged to attend school, and parents were liable to be fined if they did so without the consent of their lord.[7] This remained in force until the Statute of Apprentices in 1406.

ADDITIONAL NOTE G

To go on pilgrimage was a typical medieval pastime combining both piety and pleasure. All sorts of people took part in them and,

[1] *The Schools of Medieval England*, p. 164.

[2] *Cf.* the description of the Chancellor's duty in 1278, *ad cuius officium pertinet scolas regere*, where the reference is to Salisbury (Leach, *Ed. Charters*, p. 168).

[3] Leach, *Schools, etc.* pp. 58, 113, 133.

[4] Leach, *Charters*, p. 123. [5] *Op. cit.* p. 143.

[6] This subject has been fully treated by Miss Power, *Medieval English Monasteries, c.* 1275–1535, and esp. Note B, p. 568; *cf.* G. G. Coulton, *Medieval Studies*, No. 10.

[7] *Cf.* the document printed in *English Economic History*, ed. R. H. Tawney, etc., p. 84.

apart altogether from their religious value, doubtless found in them a pleasant variation from the dull routine of everyday life. For those also who visited foreign shrines, particularly the Holy Land, or the " threshold of the Apostles " at Rome or that of St. James of Compostella in Spain, there was the added interest of foreign travel. It is hardly surprising, therefore, that we find pilgrimages mentioned quite early in history. Even kings sometimes forsook the responsibilities of their royal office to follow the prevailing fashion, as King Ine did in 728 when, after occupying the throne for thirty-seven years, he resigned the crown and went to Rome to visit the *limina Apostolorum*.[1] This, adds Bede, " many noble, humble, clergy, laity, men and women " were accustomed to do at that time. By the eighth century the crowds of pilgrims visiting Rome were so considerable that some regarded the moral perils arising out of the journey a source of serious danger to any who took part in them. Boniface of Crediton held this view of them and, when writing to the Archbishop of Canterbury about A.D. 750, says that it would be good if women might be prohibited from pilgrimages to Rome since many lost their character and few remain altogether uncontaminated. (The sentence ends very forcibly : *Perpaucæ enim sunt civitates in Longobardia vel in Francia aut in Gallia, in qua non sit adultera vel meretrix generis Anglorum.*[2]) A recent writer is even more severe in his condemnation of pilgrimages in later times.[3] Many, however, who could not afford the time and expense involved in pilgrimages abroad had to be content with a visit to local shrines, pre-eminently that of St. Thomas of Canterbury, immortalised by Chaucer :

> Whan that Aprille with his shoures soote [sweet
> The droghte of Marche hath perced to the roote, . . .
> Than longen folk to goon on pilgrimages, . . .
> And specially, from every shires end
> Of Engelond, to Caunterbury they wende. . . .[4]

Occasionally a vow of pilgrimage could not be performed, and so the custom arose of sending someone else to perform the task, and even, more rarely, for money to be left for the task to be performed later. It was customary for parishioners to go on pilgrimage to their cathedral in the week after Whit Sunday.[5] This often led to fights, occasionally with fatal results. Very often a pilgrimage was enforced as a penance, though Langland viewed such with misgivings. The professional pilgrim or palmer with his staff and bag became a well-

[1] Oman, *England before the Norman Conquest*, p. 330, where he renders *in vicinia sanctorum locorum* (Bede, *Historia Ecclesiastica* (ed. Plummer), Bk. v. p. vii) as " in the neighbourhood of the Holy Place," as if the reference were to Rome and not to the *limina Apostolorum*, which is the usual designation in ecclesiastical literature down to the present day. *Cf.* the essay on " The Cultus of St. Peter and St. Paul " in Bishop Browne's *The Importance of Women in Anglo-Saxon Times* (S.P.C.K.), p. 70.

[2] Haddan and Stubbs, *Councils, etc.* iii. 381.

[3] Huizinga, *The Waning of the Middle Ages*, p. 145.

[4] *Canterbury Tales*, Prologue (ed. Skeat).

[5] *Eynsham Cartulary*, ed. H. E. Salter (Oxf. Hist. Soc.), i. 425, 426.

known figure on medieval highways. In Wales, apparently, two pilgrimages to St. David's shrine were regarded as the equivalent of one to Rome, and three the equivalent of one to the Holy Land.[1] A vow to go on pilgrimage was accepted as a valid excuse for absence from assizes on the part of a litigant provided that the vow was taken before the receipt of a summons to attend the court.[2] For a fascinating account of the whole subject *cf.* G. G. Coulton, "Chaucer and his England," and for a thirteenth-century map giving the stations of a pilgrimage to the Holy Land, *cf.* H. S. Bennett, "The Pastons and their England."

ADDITIONAL NOTE H

Episcopal registers do not, as a rule, give many indications of the social life of their age, but on the question of violence they are somewhat more explicit. The case of the assault upon a rector does not stand alone, for scattered through most registers are excommunications pronounced upon offenders, known and unknown, who have broken the law.[3] It is always, of course, possible to exaggerate the state of a country at any given period, but, considering the sparse population of England in the Middle Ages, crimes of violence seem to have been of frequent occurrence and often of an unexpected character. It is interesting in this connexion to observe how often indications of violence appear in medieval literature quite incidentally. When Thomas of Eccleston [4] is referring to the arrival of some brothers in England he interrupts his narrative to describe the murder of the brothers' sister under circumstances of exceptional brutality in a cathedral church. Assize rolls indicate beyond dispute that the cases found in episcopal registers were not by any means exceptional.[5] Nor were the clergy free from censure, even bishops and deans being sometimes implicated in deeds of violence. In January 1323 the bishop of Coventry and Lichfield found it necessary to reprove the dean of Lichfield for attacking his seneschal even within the cathedral church of Lichfield itself.[6] A good deal of the violence exhibited was probably due to the widespread custom of carrying arms of one kind or another, particularly daggers, which somewhat naturally were strictly forbidden to the clergy. Such things are dangerous when feeling runs high, yet there is plenty of evidence that the prohibition was constantly disregarded. Such

[1] Essay by Dr. Skeat on "Wales under Henry VII," in *Tudor Studies*, p. 19.

[2] *The Earliest Lincolnshire Assize Rolls*, A.D. 1202–1209, ed. D. M. Stenton (Linc. Rec. Soc.), p. lxvi.

[3] E.g. *Reg. Orleton*, pp. 171, 227, 233, 245, etc.

[4] *De Adventu Minorum in Angliam*, ed. A. G. Little ("Collection d'études and de documents," tome vii. Paris, 1909), p. 37.

[5] As an example, "the justices in eyre who visited Gloucester in 1221 listened to an appalling tale of crime which comprised some 330 acts of homicide" (Pollock and Maitland, *History of English Law*, ii. 557. These writers record their belief "that crimes of violence were common and that the criminal law was exceedingly inefficient").

[6] *Magnum Registrum Album*, ed. H. E. Savage (Salt Soc.), p. 354.

a case of a particularly entertaining character came before the mayor's court in the city of London on July 5, 1305, when a chaplain was fined twenty shillings by a jury for wounding with his sword one of twelve men whom he found attacking a rector, a rather harsh reward for helping a fellow cleric in distress.[1] No doubt a contributory cause was the tendency of many people in those times to take the law into their own hands, as the long quarrel between the dean and chapter of Hereford and the city well illustrates.[2] Yet the excessive brutality of the fifteenth century which shows itself so plainly in the Paston Letters must be to some extent discounted and need not be taken as typical of all medieval periods.[3] Nevertheless the Middle Ages were sufficiently brutal and turbulent to compare very unfavourably with modern times.[4]

ADDITIONAL NOTE I

The duty of repairing and maintaining bridges was naturally a matter of urgent importance in days when roads were the only means of travel and conveyance. Where these were not available a ford was the only alternative, and in many places these were preferred to bridges as causing less impediment to navigation. But fords would often be impassable and then the advantages of a bridge would be manifest. To encourage the building of these, as well as their repair, was not regarded as being outside the province of a medieval bishop; hence we often find in episcopal registers indulgences, usually of forty days, granted for the purpose. The register of Bishop Lacy of Hereford contains nine such indulgences in two years. Occasionally the builder of a bridge added a chapel for the use of pilgrims and travellers, and generally in such cases an endowment was made for a chantry priest who could say masses and pray for the souls of all who used the bridge. The most famous of such chapels, of course, was that built in 1176 on the eastern side of the central pier of London Bridge, and, though this has long disappeared, one or two fine examples have survived in other parts of the country, notably at Rotherham and Wakefield. The obligation to repair bridges was of old standing and dates at least from the time of the *trimoda*[5] *necessitas*, and probably earlier. It was enforced

[1] *Calendar of Early Mayor's Court Rolls*, ed. A. H. Thomas, p. 189.

[2] *Charters and Records of Hereford Cathedral*, ed. W. W. Capes (Cantilupe Soc.), p. xxviii foll.

[3] *Cf.* C. L. Kingsford, *Prejudice and Promise in Fifteenth-Century England*, ch. iii.

[4] This is particularly evident in the way in which sacred buildings and precincts were frequently the scene of brawls, fights, and other unseemly quarrels.

[5] The first authentic mention of this occurs probably in the acts of the council of Clovesho, A.D. 742, when Ethelbald of Mercia frees the church from all secular services *exceptis expeditione, frontis et arcis constructione* (Haddan and Stubbs, *Councils, etc.* iii. 341). It should be noted that the phrase *trimoda necessitas* (not *trinoda*, a mistake originally of Selden's) occurs only once in Anglo-Saxon charters; cf. *History*, vol. xiii. No. 49.

along with the repair of fortresses and other duties in West Saxon legislation from the time of King Ethelred.[1]

ADDITIONAL NOTE J

The communal life of the monastery or nunnery did not always provide satisfaction for some of the more ardent medieval spirits; something more thoroughgoing was demanded, and as a consequence the practice of complete and solitary isolation from the world was adopted by those who were unable to find satisfaction in any other way. These were known as hermits, recluses, or anchoresses, of whom Richard of Hampole is probably one of the best known. There were degrees of isolation, but the more severe type was represented by those who were completely enclosed in a cell with only a small window for air and food. Sometimes these were built in a secluded part of a church, traces of which may occasionally be found even to-day A more common form was a hermitage which could be sufficiently commodious to contain a chapel and was generally built near to or adjoining a church, in which case, apart from the aperture necessary for the receipt of alms and victuals, there would be a window opening into the church from which the east end of the church could be seen. Such a building must have adjoined the parish church of Winterton in the diocese of Lincoln, since there exists the licence from the prioress of Stainfield granting permission for one of the nuns to withdraw from the life of a community to a solitary life "in a building adjacent to the parish church of Winterton." [2] Some anchoresses attained considerable renown for their piety and wisdom and were consulted on occasions even by the great. From the records that have survived referring to recluses there is some doubt how far the rigidity of complete seclusion was maintained; there is some reason to suspect that different standards existed in different localities. The whole subject is dealt with at considerable length by E. L. Cutts, "Scenes and Characters of the Middle Ages," pp. 93–151.[3]

ADDITIONAL NOTE K

One of the most ancient ecclesiastical customs was the payment of tithes for the maintenance of the church. Its importance was recognised in quite early times, and this importance is reflected in contemporary legislation, for it forms one of the first subjects to be dealt with in our early laws. The payment of tithes was enforced

[1] Probably *c.* 1008; *cf.* Robertson, *The Laws of the Kings of England*, 49, 87.

[2] *Linc. Vis.* i. 113–115 and notes.

[3] According to Ducange, usually the cell of a recluse was twelve feet square, with three windows—one for receiving the sacrament, one for food, and one for light: *quæ semper debet esse clausa vitro vel cornu* (Glossarium, *s.v.* Incluse).

in the ninth century in that legislation "which King Alfred and King Guthrum, and afterwards King Edward and King Guthrum enacted and agreed upon, when the English and the Danes unreservedly entered into relations of peace and friendship." [1] In Æthelstan's first series of laws (*c.* 925) it is again emphasised. He instructs every reeve to "render tithes of my own property, both in live-stock and in the yearly fruits of the earth, measuring, counting and weighing [them] in accordance with the strictest accuracy." [2] 1 Edmund, cap. 2, is equally categorical: "We enjoin upon every Christian man, in accordance with his Christian profession, to pay tithes and church dues and Peter's Pence and plough alms. And if anyone refuses to do so, he shall be excommunicated." [3] These tithes, of course, took different forms and are usually divided into the two categories of the greater and the lesser tithes. The former consisted principally of the tithe on land and corn; the latter was composed of a great variety of gifts and offerings. These were usually paid in kind and must often have presented a real difficulty to a rector in consequence. For tithes could be levied on every kind of grain and agricultural produce, and the payment of them was enforced by the threat of the severest ecclesiastical penalties. According to Myrc, the parish priest had to pronounce excommunication two or three times a year upon those who withdrew their tithes, and Chaucer notes it as one of the favourable characteristics of his "Poore Persoun of a Toun" that he was loath to "cursen for his tithes." Naturally not everyone paid his dues with the same degree of alacrity, and the enforcement of tithes often led to friction and bad feeling. The system pressed with the greatest severity upon the poor, who could ill afford to spare anything from their meagre possessions. It would be interesting to speculate on the cumulative effect of this discontent through the centuries on the agricultural population of the sixteenth century.

[1] Attenborough, *The Laws of the Earliest English Kings*, p. 103. Libermann doubted the authenticity of this preamble and dated the laws after 925. For a discussion of this, cf. *op. cit.* pp. 97, 203.

[2] Attenborough, *op. cit.* p. 123.

[3] Robertson, *The Laws of the Kings of England*, p. 7. A brief account of the origin of tithes is given by Professor E. W. Watson in his *Church of England*, where, however, he inadvertently (p. 34) ascribes to Athelstan, Edgar's order that where a thegn has a church on his own land one-third of his tithes shall go to his own church and two-thirds to the old minster (2 Edgar i, ii).

ADDENDA

P. 9. Mention should also be made, perhaps, of the claustral prior as well as the conventual prior, although the latter was the more paramount, being only removable by legal process. The distinction is well shown in the writ *de cerciorari pro Priore de Cowyk*, and note, in the Register of bishop Lacy, of Exeter, p. 760 ; and *cf.* their use on p. 165.

P. 29. *Manualium priorum.* These words might be better translated " temporary priors," since the word *manualis* seems to indicate one who occupies some position not of a permanent character. *Vide* " Manual " in Murray's *A New English Dictionary*, which reveals a legal significance. Miss Rose Graham, to whom I am indebted for this note, informs me that the word occurs in that portion of Archbishop Parker's *Register* which the Canterbury and York Society are about to publish.

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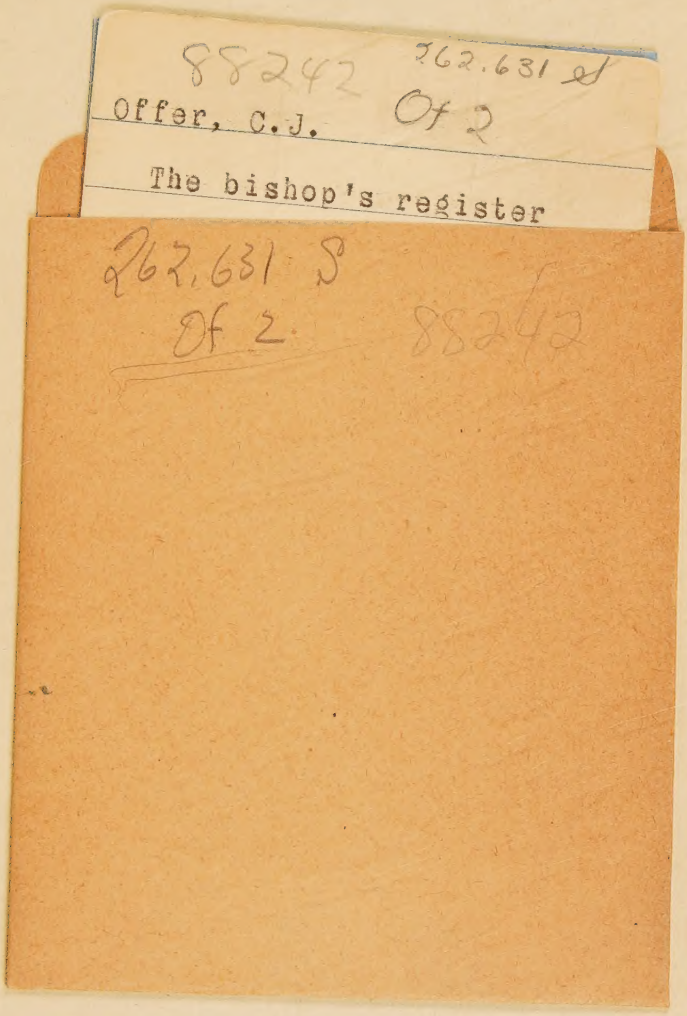
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